

federal register

FRIDAY, OCTOBER 15, 1976



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Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.

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List of Public Laws

This is a continuing numerical listing of public bills which have become law, together with the law number, the title, the date of approval, and the U.S. Statutes citation. The list is kept current in the FEDERAL REGISTER and copies of the laws may be obtained from the U.S. Government Printing Office.

H.R. 3954..... Pub. Law 94-464
To provide for an exclusive remedy against the United States in suits based upon medical malpractice on the part of medical personnel of the armed forces, the Defense Department, the Central Intelligence Agency, and the National Aeronautics and Space Administration, and for other purposes (Oct. 8, 1976; 90 Stat. 1985)
H.R. 9019..... Pub. Law 94-460
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H.R. 11407..... Pub. Law 94-463
To amend title 14, United States Code, to authorize the admission of additional foreign nationals to the Coast Guard Academy (Oct. 11, 1976; 90 Stat. 2002)
H.R. 12838..... Pub. Law 94-462
"Arts, Humanities, and Cultural Affairs Act of 1976" (Oct. 8, 1976; 90 Stat. 1971)
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"Sea Grant Program Improvement Act of 1976" (Oct. 8, 1976; 90 Stat. 1961)
H.R. 13374..... Pub. Law 94-466
"Minnesota Valley National Wildlife Refuge Act" (Oct. 8, 1976; 90 Stat. 1992)
H.R. 15552..... Pub. Law 94-467
"Act for the Prevention and Punishment of Crimes Against Internationally Protected Persons" (Oct. 8, 1976; 90 Stat. 1997)
S. 2981..... Pub. Law 94-465
To authorize appropriations for the Indian Claims Commission for fiscal year 1977, and for other purposes (Oct. 8, 1976; 90 Stat. 1990)
S. 3430..... Pub. Law 94-458
To amend the Act approved August 18, 1970, providing for improvement in the administration of the National Park System by the Secretary of the Interior and clarifying authorities applicable to the National Park System, and for other purposes (Oct. 7, 1976; 90 Stat. 1939)
S. 3651..... Pub. Law 94-456
To amend the Alaska Native Claims Settlement Act to provide for the withdrawal of lands for the village of Klukwan, Alaska, and for other purposes (Oct. 4, 1976; 90 Stat. 1934)
S. 3734..... Pub. Law 94-457
To approve the sale of certain naval vessels, and for other purposes (Oct. 5, 1976; 90 Stat. 1938)
S. 3843..... Pub. Law 94-459
To name the Visitors' Center at the Sleeping Bear Dunes National Lakeshore the "Philip A. Hart Visitors' Center" (Oct. 8, 1976; 90 Stat. 1944)

presidential documents

Title 3—The President

Directive of October 7, 1976

Amending the National Security Council Directive of May 17, 1972, Governing the Classification, Downgrading, Declassification and Safeguarding of National Security Information

The President has directed that the National Security Council Directive Governing the Classification, Downgrading, Declassification and Safeguarding of National Security Information dated May 17, 1972 (37 FR 10053), be amended as follows:

Delete Paragraph C, Regulations and Reports, in Section X, DEPARTMENTAL IMPLEMENTATION AND ENFORCEMENT, and add a new Paragraph C in Section X as follows:

"C. Regulations and Reports. Each Department shall submit its proposed implementing regulations of the Order and Directives thereunder to the Chairman of the Interagency Classification Review Committee for approval by the Committee. Upon approval such regulations shall be published in the FEDERAL REGISTER to the extent they affect the general public. Each Department shall also submit to the said Chairman (1) semiannual reports of Departmental actions on classification review requests, classification abuses and unauthorized disclosures, and (2) provide progress reports on information accumulated in the data index system established under Part VII hereof and such other reports as said Chairman may find necessary for the Interagency Classification Review Committee to carry out its responsibilities."

This Directive shall be published in the FEDERAL REGISTER and become effective January 1, 1977.

BRENT SCOWCROFT,
Assistant to the President
for National Security Affairs

October 7, 1976

[FR Doc.76-30409 Filed 10-13-76;1:49 pm]

rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 12—Banks and Banking CHAPTER II—FEDERAL RESERVE SYSTEM

Subchapter A—Board of Governors of the Federal Reserve System

[Reg. Z; Docket No. R-0048]

PART 226—TRUTH IN LENDING

Amendments to Regulation Z To Implement the Consumer Leasing Act

On July 9, 1976, the Board published for comment proposed amendments to Regulation Z implementing the Consumer Leasing Act of 1976 (41 FR 28313). The Board also conducted an informal public hearing on the proposed amendments on August 3, 1976, at which five persons testified.

Forty-seven written comments on the proposal were received. The written comments and hearing testimony have been analyzed and careful consideration has been given to them. On the basis of the comments and testimony and its own analysis, the Board has adopted final amendments to implement the Act.

Several commenters requested that the Board issue a separate leasing regulation rather than incorporate the leasing amendments into Regulation Z. The Board still believes that the incorporation of the leasing regulation into Regulation Z permits utilization of terms and concepts previously defined under Regulation Z and substantially limits duplication of provisions. Confusion among lessors unfamiliar with Regulation Z can be greatly reduced, the Board believes, by education efforts, which may include the issuance of approved lease disclosure forms.

A detailed discussion of the revisions to the amendments follows:

1. Technical changes have been made in § 226.1(c) by (1) limiting the protection from civil and criminal liability granted to creditors who act in conformity with duly authorized staff opinion letters to Sections 112 and 130 of the Act, and (2) adding a statement concerning the provisions of § 185(b) which imposes civil liability for lessor violations of the advertising provisions of Section 184 when such violations result in actual damages.

2. The definition "aggregate cost of the lease" has been redesignated "total lease obligation" in order to reflect more accurately the concept embodied in the definition.

The Board wishes to clarify that for purposes of this definition and the calculations of which it is an element, the term "scheduled periodic payments under the lease" includes that portion of the payments attributable to depreciation, cost of money, lessor's profit and taxes, but excludes, in leases where such

charges are included in the periodic payments, charges for maintenance and insurance.

The words "fair market" have been deleted from the third element of the definition, "the estimated value of the leased property at the end of the lease term," to permit the use of underestimation in determination of the figure.

3. The words "fair market" have been deleted from the definition "value at consummation" because the amount used in the definition may not approximate a "fair market value" as it permits inclusion of a lessor markup. The Board believes that the legislative history of the Consumer Leasing Act is clear that such a markup is permissible (see 122 Cong. Rec., S. 1025, February 2, 1976).

4. The definition "realized value" has been amended to exclude any deduction for actual disposition costs. It is the Board's position that such costs should be disclosed at consummation of the lease and should not be used to circumvent the limitations imposed by section 183(a) of the Act on the lessee's end-term liability.

The Board also wishes to clarify that the methods of disposition presented in the definition of "realized value" are alternatives and may be chosen at the lessor's option. The use of the right of appraisal (§ 226.15(b)(14)) by the lessee and lessor constitutes a binding determination of realized value.

5. A new paragraph has been added to § 226.3 which deals with exempted transactions. This paragraph exempts from the requirements of the Act lease transactions of personal property incident to leases of real property which provide that (1) the lessee has no liability for the value of the property at the end of the term other than for abnormal wear and tear, and (2) there is no option to purchase the leased property.

It is the Board's position that the definition of "consumer lease" excludes such leases as it is limited to "a contract for the use of personal property" (emphasis added) and a lease for a furnished apartment is a real property lease to which the personal property is incidental.

Neither the Act nor the legislative history mentions leases of personal property incident to leases of real property. The Board believes that such an exemption is justified by the increased costs and the decreased availability of advertising information and services associated with furnished apartments, which may be generated by requiring compliance with the Act by such lessors.

6. Section 226.6(f) has been amended to permit lessors to understate in purchase option leases the estimated value of the property at the end of the lease

term. This will allow lessors to use a "safety factor" when estimating this value.

7. A new paragraph, § 226.10(h), has been added to the advertising provisions to permit use of triggering terms in merchandise tags for items normally used in multiple-item leases without full advertising disclosures, provided that such tags clearly and conspicuously refer to a prominently posted sign or display which contains a table or schedule of items to be disclosed under § 226.10(g).

The table or schedule of lease terms may be similar to that used in credit transactions as set forth in Interpretation § 226.1002, which will be amended to include lease advertisements.

8. The Board makes the following comments concerning § 226.15:

(a) The requirement of § 226.15(a) that disclosures be made on one side of a single page of a separate disclosure statement has been deleted. A number of commenters questioned their ability to provide the required disclosures, a number of which are textual rather than numerical, on a single page. Thus, lessors would be permitted to make disclosures on both sides of a separate disclosure statement.

(b) Certain arithmetical disclosures have been rearranged to provide a more meaningful sequence of disclosures.

(c) Security deposits, as used in §§ 226.15(b)(2) and (9), have been limited to refundable cash deposits to distinguish them from other types of security interests. Further, a security deposit disclosed under § 226.15(b)(2) need not be further disclosed under § 226.15(b)(9).

(d) Section 226.15(b)(5) has been changed to incorporate in the total of "all other charges" the amount of any liabilities imposed upon the lessee at the end of the term (formerly § 226.15(b)(13)), excluding the difference between the estimated and realized values.

(e) The warranty disclosure (§ 226.15(b)(7)) has been amended to require only that the lessor provide a statement identifying any express warranties or guarantees made by the lessor or manufacturer and available to the lessee. This paragraph permits the lessor to refer to any express warranties without the necessity of reproducing them in the disclosure statement.

(f) The lessor is under no obligation to set standards for wear and use. However, such standards, if they are set, must be reasonable and must be disclosed in accordance with § 226.15(b)(8).

(g) Section 226.15(b)(14), dealing with the right of appraisal, has been limited, as provided in § 183(c) of the Act, to leases where the lessee's liability at

the end of the term is based upon the estimated value of the leased property.

(h) The Board solicited comments on a proposed exemption from the renegotiation and extension requirements (§ 226.15(c)) for multiple item leases. As a result of the comments received, the Board now changes the exemption by increasing the threshold change in the monthly payment above which new disclosures must be made from 10 to 25 per cent.

The Board also exempts from the new disclosure requirement lease extensions for a total of six months or less, either on a month-to-month basis or otherwise. If a lease is extended for more than six months new disclosures must be made.

The Board believes that the addition or subtraction of items from a multiple item lease, resulting in relatively small changes in the monthly payments, as well as short term extensions, are primarily accommodations to consumers and that requiring new disclosures in these limited situations would inconvenience lessees and lessors without a corresponding increase in consumer protection.

In consideration of the comments received and pursuant to the authority granted in 15 U.S.C. 1604 (1968), 12 CFR Part 226 is amended as follows, effective March 23, 1977.

A. Section 226.1 is amended as follows:

§ 226.1 [Amended]

1. By revising the last sentence of paragraph (a) (1) to read as follows:

(a) *Authority, scope, purpose, etc.*, (1) * * * Except as otherwise provided herein, this Part, within the context of its related provisions, applies to all persons who are creditors, as defined in paragraph(s) of § 226.2, and in the case of consumer leases, as defined in paragraph (mm) of § 226.2, to all persons who are lessors, as defined in paragraph (oo) of § 226.2.

2. In paragraph (a) (2) by inserting the words "and consumer lease" between the words "Advertising of consumer credit" and "terms must comply" and by adding the following sentence before the last sentence of the paragraph:

(2) * * * This Part is also designed to assure that lessees of personal property are given meaningful disclosures of lease terms, to delimit the ultimate liability of lessees in leasing personal property and to require meaningful and accurate disclosures of lease terms in advertisements. * * *

3. In paragraph (b) (1) by inserting a comma after the word "creditors," deleting the word "and" between the words "creditors" and "credit" and inserting the words "and lessors" between the words "issuers" and "is."

4. By amending paragraph (c) to read as follows:

(c) *Penalties and liabilities.* Section 112 of the Act provides criminal liability for willful and knowing failure to comply with any requirement imposed under the Act and this Part. Section 134 pro-

vides for criminal liability for certain fraudulent activities related to credit cards. Section 130 provides for civil liability in individual or class actions for any creditor or lessor who fails to comply with any requirement imposed under Chapter 2, Chapter 4 or Chapter 5 of the Act and the corresponding provisions of this Part. Section 130 also provides creditors or lessors a defense against civil and criminal liability under sections 130 and 112 for any act done or omitted in good faith in conformity with the provisions of this Part or any interpretation thereof by the Board, or with any interpretations or approvals issued by a duly authorized official or employee of the Federal Reserve System, notwithstanding that after such act or omission has occurred, such rule, regulation, interpretation or approval is amended, rescinded or otherwise determined to be invalid for any reason. Section 130 further provides that a multiple failure to disclose in connection with a single account or single consumer lease shall permit but a single recovery. Section 115 provides for civil liability for an assignee of an original creditor where the original creditor has violated the disclosure requirements and such violation is apparent on the face of the instrument assigned, unless the assignment is involuntary. Section 185(b) provides for civil liability under section 130 for any lessor who fails to comply with any requirement imposed under section 184 to any person who suffers actual damage from the violation. Pursuant to section 108 of the Act, violations of the Act or this Part constitute violations of other Federal laws which may provide further penalties.

B. Section 226.2 is amended as follows:

§ 226.20 [Amended]

1. In paragraph (d) by inserting the words "or lessee or prospective lessee" between the words "prospective customer" and "in."

2. By amending paragraph (h) to read as follows:

(h) *"Arrange for the extension of credit or for lease of personal property"* means to provide or offer to provide consumer credit or a lease which is or will be extended by another person under a business or other relationship pursuant to which the person arranging such credit or lease

(1) Receives or will receive a fee, compensation, or other consideration for such service, or

(2) Has knowledge of the credit or lease terms and participates in the preparation of the contract documents required in connection with the extension of credit or the lease. It does not include honoring a credit card or similar device where no finance charge is imposed at the time of that transaction.

3. In paragraph (jj) by deleting the word "and" after the words "consumer loan" and adding the words "and 'lease' to mean 'consumer lease'" after the words "consumer credit transaction."

4. In paragraph (kk) by inserting the words "or a lessor and lessee" between the words "customer" and "irrespective."

5. By adding the following after paragraph (11):

(mm) *"Consumer lease"* means a contract in the form of a bailment or lease for the use of personal property by a natural person primarily for personal, family or household purposes, for a period of time exceeding four months, for a total contractual obligation not exceeding \$25,000, whether or not the lessee has the option to purchase or otherwise become the owner of the property at the expiration of the lease. It does not include a lease which meets the definition of a credit sale in § 226.2(t), nor does it include a lease for agricultural, business or commercial purposes or one made to an organization.

(nn) *"Lessee"* means a natural person who leases under, or who is offered, a consumer lease.

(oo) *"Lessor"* means a person who in the ordinary course of business regularly leases, offers to lease or arranges for the leasing of personal property under a consumer lease.

(pp) *"Personal property"* means any property which is not real property under the law of the State where it is located at the time it is offered or made available for lease.

(qq) *"Realized value"* means (1) the price received by the lessor for the leased property at disposition, (2) the highest offer for disposition, or (3) the fair market value at the end of the lease term.

(rr) *"Total lease obligation"* equals the total of (1) the scheduled periodic payments under the lease, (2) any nonrefundable cash payment required of the lessee or agreed upon by the lessor and lessee or any trade-in allowance made at consummation, and (3) the estimated value of the leased property at the end of the lease term.

(ss) *"Value at consummation"* equals the cost to the lessor of the leased property including, if applicable, any increase or markup by the lessor prior to consummation.

C. Section 226.3 is amended by adding a new § 226.3(f) to read as follows:

§ 226.3 Exempted transactions.

(f) *Certain lease transactions.* Lease transactions of personal property which are incident to the lease of real property and which provide that (1) the lessee has no liability for the value of the property at the end of the lease term except for abnormal wear and tear, and (2) the lessee has no option to purchase the leased property.

D. Section 226.6 is amended as follows:

1. By adding a new § 226.6(b) (3) to read as follows:

§ 226.6 [Amended]

(b) (3) (1) A State law which is similar in nature, purpose, scope, intent, effect or requisites to a section of Chapter 5 of the Act is not inconsistent with the

Act or this Part within the meaning of § 186(a) of the Act if the lessor can comply with the State law without violating this Part. If a lessor cannot comply with a State law without violating a provision of this Part which implements a section of Chapter 5 of the Act, such State law is inconsistent with the requirements of the Act and this Part within the meaning of § 186(a) of the Act and is preempted.

(ii) A State, through its Governor, Attorney General, or other appropriate official having primary enforcement or interpretative responsibilities for its consumer leasing law, may apply to the Board for a determination that the State law offers greater protection and benefit to lessees than a comparable provision(s) of Chapter 5 of the Act and its implementing provision(s) in this Part, or is otherwise not inconsistent with Chapter 5 of the Act and this Part, or for a determination with respect to any issues not clearly covered by § 226.6(b) (3) (i) as to the consistency or inconsistency of a State law with Chapter 5 of the Act or its implementing provisions in this Part.

2. In paragraph (c) by inserting the words "or lessor's" between the words "creditor's" and "option" and by inserting the words "or lessee" between the words "customer" and "or" in the first sentence, and by inserting the words "or lessor" between the words "creditor" and "who elects" in the second sentence.

3. By revising paragraphs (d), (e) and (f) to read as follows:

(d) *Multiple creditors or lessors; joint disclosure.* If there is more than one creditor or lessor in a transaction, each creditor or lessor shall be clearly identified and shall be responsible for making only those disclosures required by this Part which are within his knowledge and the purview of his relationship with the customer or lessee. If two or more creditors make a joint disclosure, each creditor or lessor shall be clearly identified. The disclosures required under paragraphs (b) and (c) of § 226.8 shall be made by the seller if he extends or arranges for the extension of credit. Otherwise disclosures shall be made as required under paragraphs (b) and (d) of § 226.8 and paragraph (b) of § 226.15.

(e) *Multiple customers or lessees; disclosure to one.* In any transaction other than a credit transaction which may be rescinded under the provisions of § 226.9, if there is more than one customer or lessee, the creditor or lessor need furnish a statement of disclosures required by this Part to only one of them other than an endorser, comaker, guarantor, or a similar party.

(f) *Unknown information estimate.* If at the time disclosures must be made, an amount or other item of information required to be disclosed, or needed to determine a required disclosure, is unknown or not available to the creditor or lessor and the creditor or lessor has made a reasonable effort to ascertain it, the creditor or lessor may use an estimated amount or an approximation of the information, provided the estimate

or approximation is clearly identified as such, is reasonable, is based on the best information available to the creditor or lessor and is not used for the purpose of circumventing or evading the disclosure requirements of this Part.

Notwithstanding the requirement of this paragraph that the estimate be based on the best information available, a lessor is not precluded in a purchase option lease from understating the estimated value of the leased property at the end of the term in computing the total lease obligation as required in § 226.15(b) (15) (i).

4. By revising the footnote to paragraph (g) to read as follows:

*Such acts, occurrences, or agreements include the failure of the customer or lessee to perform his obligations under the contract and such actions by the creditor or lessor as may be proper to protect his interests in such circumstances. Such failure may result in the liability of the customer or lessee to pay delinquency charges, collection costs, or expenses of the creditor or lessor for perfection or acquisition of any security interests or amounts advanced by the creditor or lessor on behalf of the customer or lessee in connection with insurance, repairs to or preservation of collateral.

5. In paragraph (i) by inserting the words "or lessor" between the words "creditor" and "for" in the first sentence and between the words "creditor" and "shall" in the last sentence.

E. Section 226.10 is amended by redesignating the introductory text of § 226.10(a) as § 226.10(a) (1), § 226.10(a) (1) as § 226.10(a) (1) (i) and § 226.10(a) (2) as § 226.10(a) (1) (ii), and by adding new paragraphs (a) (2), (g) and (h) as follows:

§ 226.10 Advertising credit and lease terms.

(a) *General rule.* . . .

(2) No advertisement to aid, promote or assist directly or indirectly any consumer lease may state that a specific lease of any property at specific amounts or terms is available unless the lessor usually and customarily leases or will lease such property at those amounts or terms.

(b) *Catalogs and multi-page advertisements.* If a catalog or other multiple-page advertisement sets forth or gives information in sufficient detail to permit determination of the disclosures required by this section in a table or schedule of credit or lease terms, such catalog or multiple-page advertisement shall be considered a single advertisement provided:

(1) The table or schedule and the disclosures made therein are set forth clearly and conspicuously; and

(2) Any statement of credit or lease terms appearing in any place other than in that table or schedule of credit or lease terms clearly and conspicuously refers to the page or pages on which that table or schedule appears, unless that statement discloses all of the credit or lease terms required to be stated under this section. For the purpose of this subparagraph, cash price is not a credit term.

(g) *Advertising of consumer leases.* No advertisement to aid, promote or assist directly or indirectly any consumer lease shall state the amount of any payment, the number of required payments, or that any or no downpayment or other payment is required at consummation of the lease unless the advertisement also states clearly and conspicuously each of the following items of information as applicable:

(1) That the transaction advertised is a lease.

(2) The total amount of any payment such as a security deposit or capitalized cost reduction required at the consummation of the lease, or that no such payments are required.

(3) The number, amounts, due dates or periods of scheduled payments, and the total of such payments under the lease.

(4) A statement of whether or not the lessee has the option to purchase the lease property and at what price and time. The method of determining the price may be substituted for disclosure of the price.

(5) A statement of the amount or method of determining the amount of any liabilities the lease imposes upon the lessee at the end of the term and a statement that the lessee shall be liable for the difference, if any, between the estimated value of the lease property and its realized value at the end of the lease term, if the lessee has such liability.

(h) *Multiple-item leases; merchandise tags.* If a merchandise tag for an item normally included in a multiple-item lease sets forth information which would require additional disclosures under paragraph (g) of this section, such merchandise tag need not contain such additional disclosures, provided it clearly and conspicuously refers to a sign or display which is prominently posted in the lessor's showroom. Such sign or display shall contain a table or schedule of those items of information to be disclosed under paragraph (g) of this section.

F. Section 226.12 is amended as follows:

§ 226.12 Exemption of certain state regulated transactions.

(a) *Exemption for ~~the~~ regulated transactions.* In accordance with the provisions of Supplements II, IV, V, and VI to Regulation Z, any State may make application to the Board for exemption of any class of transactions within the State from the requirements of Chapters 2, 4 or 5 of the Act and the corresponding provisions of this Part, Provided that:

(1) The Board determines that under the law of that State, that class of transactions is subject to requirements substantially similar to those imposed under Chapter 2 or Chapter 4 of the Act, or both, or under Chapter 5, and the corresponding provisions of this Part; or in the case of Chapter 4, the consumer is afforded greater protection than is afforded under Chapter 4 of the Act, or in the case of Chapter 5, the lessee is

afforded greater protection and benefit than is afforded under Chapter 5 of the Act, and

(2) There is adequate provision for enforcement.

(b) *Procedures and criteria.* The procedures and criteria under which any State may apply for the determination provided for in paragraph (a) of this section are set forth in Supplement II to Regulation Z with respect to disclosure and rescission requirements (sections 121-131 of Chapter 2), Supplement IV with respect to the prohibition of the issuance of unsolicited credit cards and the liability of the cardholder for unauthorized use of a credit card (sections 132-133 of Chapter 2), in Supplement V with respect to fair credit billing requirements (sections 161-171 of Chapter 4) and in Supplement VI with respect to consumer leasing (sections 181-186 of Chapter 5).

G. A new section 226.15 is added to read as follows:

§ 226.15 Consumer leasing.

(a) *General requirements.* Any lessor shall, in accordance with § 226.6 and to the extent applicable, make the disclosures required by paragraph (b) of this section with respect to any consumer lease. Such disclosures shall be made prior to the consummation of the lease on a dated written statement which identifies the lessor and the lessee, and a copy of such statement shall be given to the lessee at that time. All of the disclosures shall be made together on either

(1) The contract or other instrument evidencing the lease on the same page and above the place for the lessee's signature; or

(2) A separate statement which identifies the lease transaction.

In any lease of multiple items, the description required by § 226.15(b) (1) may be provided on a separate statement or statements which are incorporated by reference in the disclosure statement required by § 226.15(a).

(b) *Specific disclosure requirements.* In any lease subject to this section the following items, as applicable, shall be disclosed:

(1) A brief description of the leased property, sufficient to identify the property to the lessee and lessor.

(2) The total amount of any payment, such as a refundable security deposit paid by cash, check or similar means, advance payment, capitalized cost reduction or any trade-in allowance, appropriately identified, to be paid by the lessee at consummation of the lease.

(3) The number, amount and due dates or periods of payments scheduled under the lease and the total amount of such periodic payments.

(4) The total amount paid or payable by the lessee during the lease term for official fees, registration, certificate of title, license fees or taxes.

(5) The total amount of all other charges, individually itemized, payable by the lessee to the lessor, which are

not included in the periodic payments. This total includes the amount of any liabilities the lease imposes upon the lessee at the end of the term, but excludes the potential difference between the estimated and realized values, required to be disclosed under § 226.15(b) (15) (i).

(6) A brief identification of insurance in connection with the lease including (i) if provided or paid for by the lessor, the types and amounts of coverages and cost to the lessee, or (ii) if not provided or paid for by the lessor, the types and amounts of coverages required of the lessee.

(7) A statement identifying any express warranties or guarantees available to the lessee made by the lessor or manufacturer with respect to the leased property.

(8) An identification of the party responsible for maintaining or servicing the leased property together with a brief description of the responsibility, and a statement of reasonable standards for wear and use, if the lessor sets such standards.

(9) A description of any security interest, other than a security deposit disclosed under paragraph (b) (2) of this section, held or to be retained by the lessor in connection with the lease and a clear identification of the property to which the security interest relates.

(10) The amount or method of determining the amount of any penalty or other charge for delinquency, default or late payments.

(11) A statement of whether or not the lessee has the option to purchase the leased property and, if at the end of the lease term, at which price, and, if prior to the end of the lease term, at what time and the price or method of determining the price.

(12) A statement of the conditions under which the lessee or lessor may terminate the lease prior to the end of the lease term and the amount or method of determining the amount of any penalty or other charge for early termination.

(13) A statement that the lessee shall be liable for the difference between the estimated value of the property and its realized value at early termination or the end of the lease term, if such liability exists.

(14) Where the lessee's liability at early termination or at the end of the lease term is based on the estimated value of the leased property, a statement that the lessee may obtain at the end of the lease term or at early termination, at the lessee's expense, a professional appraisal of the value which could be realized at sale of the leased property by an independent third party agreed to by the lessee and the lessor, which appraisal shall be final and binding on the parties.

(15) Where the lessee's liability at the end of the lease term is based upon the estimated value of the leased property:

(i) The value of the property at consummation of the lease, the itemized total lease obligation at the end of the lease term, and the difference between them.

(ii) That there is a rebuttable presumption that the estimated value of the leased property at the end of the lease term is unreasonable and not in good faith to the extent that it exceeds the realized value by more than three times the average payment allocable to a monthly period, and that the lessor cannot collect the amount of such excess liability unless the lessor brings a successful action in court in which the lessor pays the lessee's attorney's fees, and that this provision regarding the presumption and attorney's fees does not apply to the extent the excess of estimated value over realized value is due to unreasonable wear or use, or excessive use.

(iii) A statement that the requirements of paragraph (b) (15) (ii) of this section do not preclude the right of a willing lessee to make any mutual agreeable final adjustment regarding such excess liability.

(c) *Renegotiations or extensions.* If any existing lease is renegotiated or extended, such renegotiation or extension shall be considered a new lease subject to the disclosure requirements of this Part, except that the requirements of this paragraph shall not apply to (1) a lease of multiple items where a new item(s) is provided or a previously leased item(s) is returned, and the average payment allocable to a monthly period is not changed by more than 25 per cent, or (2) a lease which is extended for not more than six months on a month-to-month basis or otherwise.

By order of the Board of Governors,
October 8, 1976.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc. 76-30336 Filed 10-14-76; 8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

[Docket No. 75P-0361]

PART 17—BAKERY PRODUCTS

Standards of Identity for Bakery Products; Partial Confirmation of Effective Date and Stay of Certain Provisions

In the FEDERAL REGISTER of February 12, 1976 (41 FR 6242), the Food and Drug Administration (FDA) issued a regulation revising the standards for bakery products in Part 17 (21 CFR Part 17) to (1) relax recipe requirements to permit the use of any safe and suitable ingredients that do not change the basic identity of the food or adversely affect its physical and nutritional characteristics, (2) require label declaration of all ingredients, (3) permit use of the names "egg bread," "enriched egg bread," "enriched milk bread," "enriched milk and egg bread," and "raisin and egg bread," when the food meets certain requirements, and (4) provide for other appropriate changes.

Written objections and requests for a hearing were to be filed on or before March 15, 1976.

Thirteen letters were received in response to the regulation. Six contained comments that were not in the form of objections or requests for a hearing. Five letters did contain objections and requests for a hearing. One letter, which was filed after the closing date of the objection period, objected to certain provisions of the regulation but did not request a hearing. The contents of one letter did not pertain to the regulation but made reference to it. The Commissioner has reviewed the comments and objections to determine those provisions of the regulations that should be stayed pending resolution of the objections; his conclusions follow:

1. Two objections and requests for a hearing were received concerning the minimum amount of egg required by §§ 17.10(e), 17.20(b), and 17.40(b) when the word "egg" is used in the name of the food. The objections were that the presence of as little as one medium-size egg in a pound of bread, as permitted by the standards, is not enough to justify use of the name "egg bread." One objection stated that a minimum of two eggs is necessary for each pound of bread. The second recommended egg yolk solids equivalent to two medium eggs, the amount to be expressed on the label in ounces and grams per pound.

Accordingly, the provisions of §§ 17.10(e), 17.20(b), and 17.40(b) pertaining to the use of the word "egg" in the name of the food are being stayed pending consideration whether a hearing will be necessary to resolve the issue.

2. Two objections and requests for a hearing were received on § 17.10(c) (5) (i) as it pertains to the use of lecithin, hydroxylated lecithin, and related phosphatides in egg bread, egg rolls, and egg buns. The objections contended that the egg content of egg bread supplies sufficient emulsification to make the use of lecithin unnecessary, and if lecithin and related phosphatides are not present it is possible to test in the laboratory for the presence of egg yolk in the finished bread, thus making continual plant inspection unnecessary.

Accordingly, § 17.10(c) (5) (i), as it pertains to the use of lecithin, hydroxylated lecithin, and related phosphatides in egg bread, egg rolls, and egg buns is stayed pending consideration whether a hearing will be necessary to resolve the issue.

3. Four adverse comments and two objections and requests for a hearing were received concerning restrictions in § 17.10(c) (5) (ii) on the use of certain mono- and diglycerides to a total of not more than 0.5 part for each 100 parts by weight of flour; the comments stated that this quantity unnecessarily limits the baker's flexibility. Three of the comments recommended that the maximum limit be 0.75 part for each 100 parts by weight of flour. The other comment recommended that the maximum limit be no more than necessary to accomplish the intended effect. One objection stated that the limit should be one part for each 100 parts or that it be specified on the basis of the alpha monoglyceride present

and not on the basis of the total mono- and diglycerides, in which case it would be 0.5 part, or possibly 0.56 part, per 100 parts of flour. The other objection stated that the limit should be removed completely, or if any limitation is to be imposed, it be based on flour weight and tied to alpha monoglyceride level only.

Accordingly, § 17.10(c) (5) (ii) is stayed pending consideration whether a hearing will be necessary to resolve the issue. Until the issue is resolved, § 17.1(a) (1) (ii) of the superseded standard will apply. That standard reads as follows:

(ii) Mono- and diglycerides of fat-forming fatty acids, diacetyl tartaric acid esters of mono- and diglycerides of fat-forming fatty acids, propylene glycol mono- and diesters of fat-forming fatty acids complying with the provisions of § 121.1113 of this chapter, or a combination of two or more of these. The total weight of these ingredients used does not exceed 20 percent by weight of the combination of such ingredients and the shortening, and the total amount of monoglyceride, diacetyl tartaric acid ester of monoglyceride, and propylene glycol mono-ester does not exceed 8 percent by weight of the combination; but if purified or concentrated monoglyceride alone is used, the amount does not exceed 10 percent by weight of the combination.

4. One objection and request for a hearing was received on § 17.10(c) (14) (i), which retains the limits of the superseded standard on the amount of potassium bromate, calcium bromate, and calcium peroxide. The objection stated that experience with the continuous bread-making process has demonstrated that under certain conditions it is difficult to obtain proper loaf size and bread texture without using bromates at a higher level. The objection recommended that the standard be revised by removing the limit on the use of bromates. No objection was made to the limit on calcium peroxide.

The Commissioner points out that the provisions of § 17.10(c) (14) (i) are identical with those of § 17.1(a) (12) (i) of the superseded standard, which reads as follows:

(12) (i) Potassium bromate, calcium bromate, potassium iodate, calcium iodate, calcium peroxide, or any combination of two or more of these; but the total quantity thereof (including the potassium bromate in any bromated flour used) is not more than 0.0075 part for each 100 parts by weight of flour used.

Hence, the staying of the provisions of § 17.10(c) (14) (i) as they pertain to potassium bromate and calcium bromate would have no practical effect. Therefore, the Commissioner declines to stay this provision as it applies to bromates. The objector is free to submit a petition to amend the standard to raise or eliminate the limits.

5. One comment and one objection and request for a hearing were received on § 17.10(c) (16). The comment stated that spices, spice oil, and spice extract which may be yellow or which, when used as directed, may impart a yellow color to the finished product, should be permitted in bread, rolls, and buns that are not identified as egg bread, egg rolls, or egg

buns, provided that the foods are properly labeled to show the presence of the ingredients. The objection and request for a hearing stated that the consumer would be best benefited by limiting the prohibition set forth in § 17.10(c) (16) to egg bread, egg rolls, and egg buns. It also stated that the issue to be discussed at the hearing and the data to be presented concern the benefit to consumers of the use of colored spice mix in standardized bakery products not purporting to contain egg.

Because the objection stated that the issue to be addressed at a hearing will be limited to the use of spices, spice oils, and spice extracts that impart a yellow color to standardized bakery products not purporting to contain egg, the Commissioner believes that the stay of the relevant provisions should be limited to their application to that issue. Accordingly, the provisions of § 17.10(c) (16) as they pertain to the use of spices, spice oil, or spice extract that impart a color simulating that of egg to a standardized bakery product not represented on the label as containing egg or egg product and not purporting to contain egg or egg product is stayed pending consideration whether a hearing is necessary to resolve the issue.

6. One objection and request for a hearing was received on § 17.10(c) (17) stating that the use of artificial color in butter, but not in margarine, would not promote honesty and fair dealing in the interest of consumers. The objection stated that there is no basis for discriminating between butter and margarine and that artificial color should be allowed in both ingredients in like amounts.

Accordingly, the provisions of § 17.10(c) (17) as they pertain to the use in bread of butter to which color has been added is stayed pending consideration whether a hearing will be necessary to resolve the issue. This will have the effect of barring the use of artificially colored butter as well as artificially colored margarine during the period of the stay, i.e., from January 1, 1978, until the termination of the stay.

7. Two objections and requests for a hearing were received on § 17.10(f) as it applies to label declaration of dough conditioners, dough strengtheners, and yeast nutrients. The paragraph requires that all ingredients used in the food be declared on the label as required by the applicable sections of 21 CFR Part 1. The significant aspect of the provision is that it requires that all ingredients be identified by their common or usual names and in order of predominance.

Those who objected stated that, in order to maintain uniform quality of product, the amounts of ingredients such as dough conditioners, dough strengtheners, and yeast nutrients must be varied to adjust to variations in raw materials that are beyond the control of the baker and to other variable manufacturing conditions. It was claimed that the requirement to revise product labels as substitutions are made would result in substantial loss of inventories of labels

and bread wrappers and would increase costs.

One of the objections recommended that a functional description such as "dough strengthener/conditioner" would be sufficient for the purpose of informing the consumer. Two letters commented in a similar manner on the issue but did not object or request a hearing. The second objection indicated that the lengthy names of particular dough conditioners and yeast nutrients would confuse consumers and that a short "coined" name would more effectively serve any consumer interest in disclosure.

Because of the revocation of Trade Correspondence TC-94 in the FEDERAL REGISTER of January 6, 1976 (41 FR 1166), the practice of declaring dough conditioners and yeast nutrients by class or function rather than by common or usual name is no longer permissible. About coined names being used for identifying food ingredients, the Commissioner points out that the use of coined names would not resolve the difficulty of listing ingredients in the order of predominance as required by 21 CFR Part 1.

In revoking TC-94 and in revising the standards for bakery products, the Commissioner implemented the policy set forth in § 3.88 *Label designation of ingredients for standardized foods* (21 CFR 3.88) by including in § 17.10(f) the requirement for label declaration of all ingredients in accordance with the applicable sections of 21 CFR Part 1. Because the issue of label declaration of ingredients in standardized foods extends beyond the concerns of the standards for bakery products, any action by the Commissioner on that issue is not appropriate in connection with the objections and requests for a hearing filed on § 17.10(f).

Therefore, the Commissioner is retaining § 17.10(f) without modification in the final regulation and is denying the requests for a hearing on this provision. Anyone desiring to use a collective (generic) name to use a color specific name may petition for an amendment to § 1.10 (21 CFR 1.10) in accordance with the procedures described in § 1.10b (21 CFR 1.10b).

8. One objection and request for a hearing was received on the requirement that nutrients be declared on the label in two places: (1) in the list of ingredients as required by §§ 17.10(f) and 17.20(a) and (2) in the nutrition label statement as required by § 1.17 (21 CFR 1.17).

The Commissioner points out that what is referred to in the above objection is not declaration of ingredients in two locations. Section 1.17 (21 CFR 1.17) does not require the declaration of ingredients. Section 1.17 requires declaration of nutrients, but not the actual compounds that supply the nutrients; so thiamine, for example, would be declared in accordance with § 1.17, but the actual compound used (which might be, for example, thiamine mononitrate) would be declared only in the ingredient statement. Also, because the issue of label declaration of ingredients in standardized foods extends beyond the concerns of

the standards for bakery products, any action by the Commissioner on that issue is not appropriate in connection with the objection and request for a hearing filed on §§ 17.10(f) and 17.20(a). Accordingly, the Commissioner is retaining these provisions without modification in the final regulation and is denying the request for a hearing on them.

9. One objection and request for a hearing was received on the note at the end of § 17.20(a) (3), which states that the provision relating to overages of vitamins and minerals does not relate to iron.

In the FEDERAL REGISTER of October 15, 1973 (38 FR 28558), the Commissioner issued a final regulation revising the standard of identity for enriched bread (currently 21 CFR 17.20) and changed the requirements for vitamins and minerals from ranges with minima and maxima to single levels. With the change to single levels, provision was made for reasonable overages within the limits of good manufacturing practice. As a result of objections to the final regulation and requests for a hearing, the provision of the standard pertaining to iron content was stayed in the FEDERAL REGISTER of February 11, 1974 (39 FR 5188). Accordingly, the requirement was restored to the previous range of not less than 8 milligrams and not more than 12.5 milligrams per pound of bread. Because the iron issue has already been the subject of a hearing, no new hearing is justified.

10. One objection, dated May 13, 1976, was filed after the time permitted by section 701(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371(e)), and is therefore not a valid objection. It objected to the prohibition in § 17.10(c) (16), (17), and (18) of the use of ingredients that may impart a color simulating that of egg to the finished food.

The Commissioner advises that those portions of § 17.10(c) (16) and (17) objected to have been stayed by the filing of other timely objections. The objection to § 17.10(c) (18) is denied because it was an untimely and therefore invalid objection.

11. It has come to the Commissioner's attention that there may be some question whether the limitation on yeast nutrients and calcium salts provided for in § 17.10(c) (13) applies to calcium propionate used as a preservative in bakery products. The Commissioner intends that any calcium propionate so used will not be subject to the limitation in § 17.10(c) (13). Accordingly, the Commissioner is clarifying that portion of the regulation by adding a sentence to state his intent.

12. The Commissioner is clarifying a point regarding application of the standards to the food, challah. The preamble to the regulations published in the February 12, 1976 FEDERAL REGISTER stated that the use of the word "challah" is not controlled by the standards. The Commissioner points out that, even though the requirements for egg bread do not apply to challah, the food known as challah does purport to be white bread or enriched bread and, accordingly, must meet the requirements in § 17.10 or

§ 17.20, as applicable. For example, the ingredient and labeling requirements in § 17.10 and the restrictions on the use of coloring apply to foods represented as "challah" (including any generally accepted variant spelling).

(Secs. 401, 701(e), 52 Stat. 1046 as amended, 70 Stat. 919 as amended (21 U.S.C. 341, 371(e)) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 16, 1976 (41 FR 24262)).

Part 17 is amended as follows:

1. In § 17.10, paragraph (c) (13) is revised to read as follows:

§ 17.10 Bread, white bread, rolls, white rolls, buns, white buns; identity; label statement of optional ingredients.

(c) * * *

(13) Yeast nutrients and calcium salts, if the total quantity of such ingredients, with the exception of monocalcium phosphate and calcium propionate, is not more than 0.25 part for each 100 parts by weight of flour used. The quantity of monocalcium phosphate, including any quantity in the flour used, is not more than 0.75 part for each 100 parts by weight of flour used. Any calcium propionate used as a preservative in bread, rolls, or buns is not subject to the limitation prescribed in this paragraph.

§ 17.10 [Amended]

2. In § 17.10, the following provisions are stayed pending full review of the objections and requests for hearing:

a. Paragraph (c) (5) (i) as it pertains to egg bread, egg rolls, and egg buns.

b. Paragraph (c) (5) (ii): Pending resolution of the issue, the requirements of § 17.1(a) (1) (ii) of the superseded standard will apply. That standard reads as follows:

(ii) Mono- and diglycerides of fat-forming fatty acids, diacetyl tartaric acid esters of mono- and diglycerides of fat-forming fatty acids, propylene glycol mono- and diesters of fat-forming fatty acids complying with the provisions of § 121.1113 of this chapter, or a combination of two or more of these. The total weight of these ingredients used does not exceed 20 percent by weight of the combination of such ingredients and the shortening, and the total amount of monoglyceride, diacetyl tartaric acid ester of monoglyceride, and propylene glycol monoester does not exceed 8 percent by weight of the combination; but if purified or concentrated monoglyceride alone is used, the amount does not exceed 10 percent by weight of the combination.

c. Paragraph (c) (16) as it pertains to the use of spices, spice oil, or spice extract that imparts a color simulating that of egg to a standardized bakery product not represented on the label as containing egg or egg product and not purporting to contain egg or egg product.

d. Paragraph (c) (17), to include that portion that reads "except that which may be present in butter if the intensity of the butter color does not exceed 'medium high' (MH) when viewed under diffused light (7400 Kelvin) against the

Munsell Butter Color Comparator. The MH designation corresponds to the Munsell re-notation of 3.8Y 7.9/7.6." Pending resolution of the issue, coloring may not be added as such or as part of another ingredient.

e. Paragraph (e) as it pertains to the use of the word "egg" in the name of the food.

§ 17.20 [Amended]

3. In § 17.20, paragraph (b) as it pertains to the use of the word "egg" in the name of the food.

§ 17.40 [Amended]

4. In § 17.40, paragraph (b) as it pertains to the use of the word "egg" in the name of the food.

Accordingly, except as to those provisions that are stayed, compliance with the final regulations for bakery products published on February 12, 1976 (41 FR 6242), may begin immediately and all products initially introduced into interstate commerce on or after January 1, 1978, shall comply.

Effective date: The revision of § 17.10 (c) (13) is effective October 15, 1976.

(Secs. 401, 701(e), 52 Stat. 1046 as amended, 70 Stat. 919 (21 U.S.C. 341, 371(e)).)

Dated: October 6, 1976.

JOSEPH P. HILE,
Acting Associate
Commissioner for Compliance.

[FR Doc.76-30082 Filed 10-14-76;8:45 am]

[Docket No. 76P-0354]

**PART 27—CANNED FRUITS AND
FRUIT JUICES**

**Frozen Concentrate for Lemonade and
Colored Lemonade; Standards of Identity**

The Food and Drug Administration is revising the standards of identity for frozen concentrate for lemonade and frozen concentrate for colored lemonade to (1) remove the proportionality limitations on the use of sweeteners other than sugar; (2) permit the use of any safe and suitable nutritive carbohydrate sweetener; and (3) require the label declaration of all optional ingredients. Except as to any provisions that may be stayed by the filing of proper objections, compliance with these final regulations, including any required labeling changes, may begin December 14, 1976, and all products initially introduced into interstate commerce on or after January 1, 1978 shall fully comply; objections by November 15, 1976.

The Commissioner of Food and Drugs issued a proposal in the FEDERAL REGISTER of April 9, 1975 (40 FR 16085) to revise the standards of identity for frozen concentrate for lemonade under § 27.101 (21 CFR 27.101) and frozen concentrate for colored lemonade under § 27.102 (21 CFR 27.102). The proposal was made in response to a petition submitted by the Corn Refiners Association (CRA), 1001 Connecticut Ave. NW., Washington, D.C. 20036, which was published with the proposal. In the proposal, the Commissioner invited comments on

the merits of (1) removing the proportionality limitation for certain sweeteners (2) providing for the use of safe and suitable nutritive carbohydrate sweeteners as a class rather than the present "recipe" listing and (3) requiring the label declaration of optional ingredients.

In response to the proposal, fourteen letters (each containing one or more comments) were received from six consumers, one State Health Department dietitian, four lemonade concentrate producers, one industry association, and two sugar companies. Subsequent to the comment period, two letters (one each from the petitioner and a lemonade producer) responding to certain of these comments were received.

One comment endorsed and supported the proposed revisions. Five comments expressed support for certain proposed provisions. The remaining comments expressed opposition to revising the existing standards, offered suggested changes, and requested clarification of certain proposed provisions. A summary of the comments and the Commissioner's conclusions are as follows:

1. Five comments supported the proposed provision for the use, without limitation, of any "safe and suitable" nutritive carbohydrate sweeteners. Two of the comments expressed the view that such a provision would allow the industry to utilize the most recent advances in sweetener technology in packing quality products which would benefit the consumer in areas of price and nutrition. The remaining three comments expressed the opinion that the use of corn sugars or sirups should be permitted in any amount desired by the packer, sales force, and customer since the products have been found acceptable.

The Commissioner agrees with these comments and, except for minor modifications, is adopting the final regulations as proposed.

2. One comment, which was supported by subsequent comments, opposed permitting the use of any "safe and suitable" nutritive sweetener. It stated that the degree of variation in the relationship between sweetness and tartness of the product which is acceptable to the average consumer is relatively narrow and that to permit the use of any safe and suitable nutritive sweetener without restriction would greatly extend the range of permissible sweetness to sourness in lemonade. This comment was supported by (a) a table relating to the sweetness of certain corn sirups in comparison to sucrose "Handbook of Sugars" by Junk and Pancoast, p. 148) and (b) a study completed in 1960 by Pangborn et al., entitled "Consumer Opinion of Sweeteners in Frozen Concentrated Lemonade and Orange Juice Drink" (copies are on file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, Md. 20852). The comment expressed the opinion, based upon the Pangborn study, that to amend the current standards as proposed so that a decreased level of sweetness is possible would seriously change the product's nature which the consumer expects from

lemonade. One of the supporting comments added that "all alternative sweeteners as we understand it do not provide as sweet a taste as sucrose." Another supporting comment expressed the opinion that the proposal would permit the increased use of corn sweeteners, which may be less sweet than sucrose. It argued that to do so would permit competition detrimental to sound marketing practices.

The petitioner, in response to these comments, agreed with the figures in the table relating to the sweetness of sweeteners, but stated that the study by Pangborn et al., which involves the substitution of certain amounts of dextrose and corn sirup for sucrose, does not represent the situation that exists today. The petitioner pointed out that significant advances have been made in the production of new corn sirups. Thus, these new materials have compositions substantially identical to invert sirups and their sweetness is practically equivalent to that of sucrose. The petitioner noted that the corn sirup used in the Pangborn study was a 52.5-DE (dextrose equivalent) acid converted corn sirup and, as such, had a sweetness about 50 to 55 percent of the sweetness of sucrose, while sirups available today would be identical in sweetness to sucrose when measured by taste panels. A lemonade concentrate producer, in support of the CRA position, stated that it is possible to obtain the desired effects of body, flavor, and sweetness by judicious blending of nutritive carbohydrate sweeteners.

In view of the factors discussed above as they refer to a broad range of sweeteners, the Commissioner concludes that it would be in the best interest of consumers for a manufacturer of frozen concentrate for lemonade and colored lemonade to be permitted to satisfy consumer tastes in his particular marketing areas by having the freedom to provide the levels of sweetness desired by those markets.

3. One comment interpreted the proposal as permitting "the use of any sweetener in lemonade as long as the minimum brix in the concentrate is 48.4 degrees and the minimum solids (Brix) in the drink are 10.5 degrees."

The Commissioner concurs with that interpretation except that it appears that due to a typographical error the comment stated "48.4 degrees" when it should have stated "48.0 percent," which is reflected in the final regulation.

4. One comment stated that to use "corn syrup at lemon juice prices" is a "ruse" and requested that this proposed revision not be adopted.

The Commissioner believes that this comment results from a misunderstanding of the proposal with regard to the deletion of the proportionality limitation on the use of sweeteners other than sugar. He points out that the substitution of any nutritive carbohydrate sweetener, including "corn sirup", for the flavoring ingredient "lemon juice" is precluded by the minimum acidity requirement in § 27.101(a). The Commissioner concludes that, because the pro-

posal did not address the amendment of paragraph (a) of this section, the substitution of "corn sirup" for "lemon juice" is not an issue.

5. One comment recommended " * * * that in the absence of an objective measure of sweetness which could become part of a standard, and to avoid requiring the consumer to guess at the sweetness of a can of frozen concentrate for lemonade prior to purchase, that this proposal be rejected."

The Commissioner agrees that an objective measure of the relative sweetness of frozen concentrate for lemonade is lacking. He points out that, at the present time, relative sweetness is normally measured using a subjective "preference rating test" (taste testing panel). He points out further that the present standard as well as the proposed revision provides for a broad range of sweetness and that neither provides for labeling to allow the consumer to differentiate between products of different sweetness levels. No data were submitted in support of establishing specific sweetness levels. If such data are available, they should be submitted in the form of a petition proposing to amend the standard to establish such levels and to provide for appropriate labeling so as to afford opportunity for other interested persons to comment. The Commissioner concludes that it is not in the interest of the consumer to delay action on the proposed revision until an objective measure of sweetness becomes available.

6. One comment, opposing the proposed revisions, asserted that "I see no need to increase the limit on corn sweeteners or giving manufacturers complete freedom of choice for sweeteners in lemonade. The product is already overly sweet." The comment suggested " * * * that if economy requires a change, it be in the addition of less sweetener. The consumer can always add more."

A comment responded to this assertion by stating that: "If the comment alleging concentrates for lemonade to be too sweet is a factual observation, then it argues for the use of blended sweeteners by which means the sweetness of the product may be controlled without greatly affecting the other organoleptic properties."

The Commissioner agrees that a producer who wishes to provide a less sweet product may simply add less sweetener and he recognizes that consumers desire sweetness variation. However, he concludes that it would be in the consumers' interest to allow the optional use of a wider range of safe and suitable sweetening ingredients since this will permit manufacturers to supply products with varying levels of sweetness for different markets.

7. One comment stated that the purpose of "freedom of choice" in use of sweeteners as proposed is ruled out because of the kinds of containers used for the frozen concentrate for lemonade. It further stated that the long "lead time" necessary for the ordering of containers

wherein the labels are an integral part rules out complete freedom to change mixtures of sweeteners as the market price of sweeteners changes.

The Commissioner agrees that this regulation, which requires declaration of the name of sweeteners used, will not allow manufacturers to switch from one sweetener to another as the market price changes, unless the manufacturer is willing to maintain alternate stocks of labels or labeled containers declaring the alternate sweeteners that he might switch to. He further recognizes that this is particularly true for the type of container normally used for frozen concentrate for lemonade. He concludes, however, that providing for the optional use of safe and suitable nutritive carbohydrate sweeteners permits the manufacturer to be flexible in developing products to satisfy different market demands. He further concludes that the manufacturer must weigh the benefits to be derived from changing sweeteners, relative to fluctuations in market price against the cost of planning for and maintaining an adequate label inventory.

8. One comment stated that the provision for "safe and suitable nutritive carbohydrate sweeteners" without the specific listing of each in the standard along with a requirement that each sweetener used must be declared on the label defeats the goal of complete consumer information. In addition the comment wanted to know "exactly" which sweeteners are being used in the foods so that an intelligent choice could be made, based on current scientific knowledge of the safety of particular sweeteners, possible allergies, specific health conditions, etc.

The Commissioner is of the opinion that this comment reflects a misunderstanding of the proposal. In recent years, the standards of identity have permitted broad classes of optional ingredients but require label declaration of each ingredient used by its common or usual name. Therefore, he concludes that, since the standards as revised require that the common or usual name of each of the optional ingredients used be declared on the label, the goal desired by this comment is met.

9. One comment, supporting the proposed deletion of the limitation on certain sweeteners, stated that the manufacturers should be allowed complete freedom in choosing the type of sweetener used in lemonade with the stipulation, however, that the sweeteners in the amounts used are generally recognized as safe (GRAS). Another comment opposed the proposed "class" listing saying that it would make it too easy for the manufacturer to decide that a new chemical is "safe and suitable" without subjecting it to proper review.

The Commissioner points out that the sweeteners provided for in the proposal are required to be safe and suitable. It should be noted that the term "safe and suitable" is defined in § 10.1(d)(3) (21 CFR 10.1(d)(3)), which states, in part, that the ingredient "is not a food additive * * * as defined in section 201(s)

* * * of the Federal Food, Drug, and Cosmetic Act as used in that food, or is a food additive * * * as so defined and is used in conformity with regulations established pursuant to section 409 * * * of the act." The Commissioner, therefore, concludes that safety is not an issue in the regulation as set forth below.

10. One comment concerned the petitioner's statement in support of his proposal that the restriction on optional sweeteners in the existing standard is "inconsistent with the more recently promulgated (albeit stayed) standards for lemonade (21 CFR 27.99) and colored lemonade (21 CFR 27.100)" and that an amendment of the existing standard to remove the restriction would be consistent with the Commissioner's action in the FEDERAL REGISTER of August 28, 1974 (39 FR 31304), in removing the 25-percent limitation on the use of corn sirups in fruit jellies (21 CFR 29.2) and fruit jams (21 CFR 29.3), on the grounds that it would promote honesty and fair dealing in the interest of consumers. The comment states that the proposed standards for lemonade and colored lemonade have no bearing on this present case and that it would be more pertinent to change the proposed standard for lemonade to correspond to the existing standard for frozen concentrate for lemonade than to change the existing standard to match both the proposed and the stayed standards. The comment states further that there is no inconsistency in applying different principles to the formulation of lemonade than are applied to fruit jams and jellies since at the 65-percent solids level prevailing in fruit jams and jellies, "the sweetness, regardless of which sweetener is used, becomes overpowering and has little relation to the delicate balance of sweetness and acidity necessary in lemonade."

The Commissioner rejects the comment. It was appropriate for the petitioner to refer to similar situations in which the Commissioner has allowed greater flexibility in the use of sweeteners. Even if the choice of sweeteners affects the balance of taste in the food, as asserted in the comment, manufacturers still should have flexibility to meet the range of consumer preference with respect to the balance achieved, just as manufacturers have flexibility with respect to other similar matters of taste, such as the use of a smaller total amount of sweetener in the food.

The Commissioner has also reviewed the reasons for the stay of effective date of the lemonade and colored lemonade standards published in the FEDERAL REGISTER of July 27, 1968 (33 FR 10713) and notes that the stay was not because of objections to the lack of "sweetener proportionality" requirements but because of objections to other provisions. Furthermore, the Commissioner does not believe that the comment has provided adequate grounds for considering an amendment of the stayed regulation in lemonade, and he also points out that the proper procedure for proposing an amendment of the promulgated standard would be to file a petition under § 2.65 (21 CFR 2.65).

11. Two comments opposed giving manufacturers a "freedom of choice" of the kind of sweeteners added to food. One comment indicated concern about the physiological effects of the new corn sweeteners (i.e., high fructose-containing sirups) which might be used in the concentrates for lemonade within the interpretation of this standard.

The Commissioner is aware of no data to show, nor reason to believe, that substitution of fructose, e.g., in the form of the high fructose-containing sirups, for the conventional sucrose or invert sugar in lemonades will lead to any unusual physiological effects. The standard permits nutritive sweeteners to be used only if they are safe and suitable as defined in § 10.1.

12. The second comment referred to in item 11 above, generalized about the effects on health of a high consumption of sugar.

The Commissioner is aware that there are hypotheses concerning the relationship between sugar consumption and diseases such as diabetes, obesity, and heart disease, but their validity is not established. If it were established that sugar is not safe and suitable as defined in § 10.1, it could no longer be used in these foods under the revised standard.

13. One comment questioned the petitioner's statement concerning the inconsistency of the existing standards for frozen concentrate for lemonade with the Codex Alimentarius Commission standards that allow different sweeteners to be freely admitted. Also, the comment stated that he was not aware of any standard for lemonade or frozen concentrate for lemonade having been proposed by the Food and Agriculture Organization and the World Health Organization.

The Commissioner agrees that the Codex Alimentarius Commission has not recommended any standard for lemonade or frozen concentrate for lemonade and points out that the petitioner's statement concerning the Codex Alimentarius Commission standards referred to the canned fruit jellies, jams, and preserves standards which have recently been amended to provide for the use of any safe and suitable nutritive carbohydrate sweetener.

14. One comment supported label declaration of all "optional" ingredients whether or not the finished food is standardized. The comment added that the declaration "should include preservatives used to treat food packaging, since these are known to migrate into the foods."

The Commissioner points out that, in nonstandardized foods, all ingredients must be declared and, for standardized foods, in accordance with provisions of section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341), FDA is moving toward label declaration of all optional ingredients. As set forth in § 3.88 (21 CFR 3.88), FDA does not have legal authority to require the labels of standardized foods to declare mandatory ingredients. Frozen concentrate for lemonade, however, contains only op-

tional ingredients; that is, there is a choice of the source of lemon juice (e.g., single strength or concentrated) and a choice of the sweetener or sweeteners used. Therefore, the Commissioner concludes that all ingredients used in frozen concentrate for lemonade and for frozen concentrate for colored lemonade must be declared on the label.

The Commissioner is not aware of the use of preservatives in food packaging used for frozen concentrate for lemonade. However, if preservatives or other substances are used which migrate to food from packaging, which are present in the food at insignificant levels, and which do not have any technical or functional effect in the food, they are exempt from label declaration under the provisions of § 1.10a(a)(3)(iii) (21 CFR 1.10a(a)(3)(iii)). On the other hand, preservatives present at functional levels, which are authorized for such use in conformity with section 409 of the act, must be declared on the label.

The Commissioner has made an editorial change in § 27.101(a) to update the method for determining soluble solids (by refractometer) in frozen concentrate for lemonade. A copy of the correction, which was published in the "Journal of the Association of Official Analytical Chemists," vol. 59, p. 368, March 1976, is on file with the Hearing Clerk, Food and Drug Administration.

Accordingly, having considered the comments received and other relevant information, the Commissioner concludes that it will promote honesty and fair dealing in the interest of consumers to revise the identity standards for frozen concentrate for lemonade and frozen concentrate for colored lemonade as set forth below.

The Commissioner has considered the environmental effects of the issuance or amendment of food standards and has concluded in 21 CFR 6.1(d)(4) that food standards are not major agency actions significantly affecting the quality of the human environment. Therefore, an environmental impact statement is not required for this final regulation. The Commissioner has also considered the inflation impact of this final regulation and has found that it would not cause a major inflationary impact as defined in Executive Order 11821, OMB Circular A-107, and the Guidelines issued by the Department of Health, Education, and Welfare. Therefore, no inflation impact statement is required. A copy of the inflation impact assessment is on file with the Hearing Clerk, Food and Drug Administration.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 401, 701 (e), 52 Stat. 1046 as amended, 70 Stat. 919 as amended (21 U.S.C. 341, 371(e))) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)): *It is ordered*, That Part 27 be amended by revising §§ 27.101 and 27.102 to read as follows:

§ 27.101 Frozen concentrate for lemonade; identity; label statement of optional ingredients.

(a) Frozen concentrate for lemonade is the frozen food prepared from one or both of the lemon juice ingredients specified in paragraph (b) of this section together with one or any mixture of safe and suitable nutritive carbohydrate sweeteners. The product contains not less than 48.0 percent by weight of soluble solids taken as the sucrose value determined by refractometer and corrected for acidity as given in "Correction of Refractometer Sucrose Readings for Citric Acid Content in Frozen Concentrate for Lemonade," by Yeatman, Senzel and Springer, "Journal of the Association of Analytical Chemists," vol. 59, p. 368 (1976).¹ When the product is diluted according to directions for making lemonade which shall appear on the label, the acidity of the lemonade, calculated as anhydrous citric acid, shall be not less than 0.70 gram per 100 milliliters, and the soluble solids, measured as described for the concentrate, shall be not less than 10.5 percent by weight.

(b) The lemon juice ingredients referred to in paragraph (a) of this section are:

(1) Lemon juice or frozen lemon juice or a mixture of these.

(2) Concentrated lemon juice or frozen concentrated lemon juice or a mixture of these.

For the purposes of this section, lemon juice is the undiluted juice expressed from mature lemons of an acid variety; and concentrated lemon juice is lemon juice from which part of the water has been removed. In the preparation of the lemon juice ingredients, the lemon oil content may be adjusted by the addition of lemon oil or concentrated lemon oil in accordance with good manufacturing practice, and the lemon pulp in the juice as expressed may be left in the juice or may be separated. Lemon pulp that has been separated, which may have been preserved by freezing, may be added in preparing frozen concentrate for lemonade, provided that the amount of pulp added does not raise the proportion of pulp in the finished food to a level in excess of that which would be present by using lemon juice ingredients from which pulp has not been separated. The lemon juice ingredients may be treated by heat, either before or after the other ingredients are added, to reduce the enzymatic activity and the number of viable microorganisms.

(c) Each of the ingredients used shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

§ 27.102 Frozen concentrate for colored lemonade; identity; label statement of optional ingredients.

(a) Frozen concentrate for colored lemonade conforms to the definition and

¹ Copies are available from: Association of Official Analytical Chemists, PO Box 540, Benjamin Franklin Station, Washington, DC 20044.

standard of identity prescribed for frozen concentrate for lemonade by § 27.101, except that it is colored with a safe and suitable fruit juice, vegetable juice, or any such juice in concentrated form, or with any other color additive ingredient suitable for use in food, including artificial coloring, used in conformity with regulations established pursuant to section 706 of the Federal Food, Drug, and Cosmetic Act.

(b) The name of the food is "Frozen concentrate for _____ lemonade," the blank being filled in with the word describing the color: for example, "Frozen concentrate for pink lemonade."

(c) Each of the ingredients specified in paragraph (a) of this section shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

Any person who will be adversely affected by the foregoing regulation may at any time on or before November 15, 1976, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the regulation, specify with particularity the provisions of the regulation deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Five copies of all documents shall be filed and should be identified with the Hearing Clerk docket number found in brackets in the heading of this regulation. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. Except as to any provisions that may be stayed by the filing of proper objections, compliance with this final regulation, including any required labeling changes, may begin December 14, 1976, and all products initially introduced into interstate commerce on or after January 1, 1978, shall fully comply. Notice of the filing of objections or lack thereof will be published in the FEDERAL REGISTER.

(Secs. 401, 701(e), 1046 as amended, 70 Stat. 919 as amended (21 U.S.C. 341, 371(e)).)

Dated: October 7, 1976.

JOSEPH P. HILE,
Acting Associate Commissioner
for Compliance.

NOTE.—Incorporation by reference provisions approved by the Director of the FEDERAL REGISTER September 15, 1976.

[FR Doc.76-30243 Filed 10-14-76; 8:45 am]

[Docket No. 76F-0036]

PART 121—FOOD ADDITIVES

Food Additives Permitted in Food for Human Consumption; *Candida Guilliermondii*

The Food and Drug Administration is amending the food additive regulations

to provide for use of *Candida guilliermondii* for the fermentative production of food grade citric acid; effective October 15, 1976; objections by November 15, 1976.

Notice was given by publication in the FEDERAL REGISTER of March 5, 1976 (41 FR 9584) that a food additive petition (FAP 6A3168) had been filed by Pfizer Inc., 235 East 42d St., New York, NY 10017, proposing that the food additive regulations (21 CFR Part 121) be amended in Subpart D to provide for the safe use of *Candida guilliermondii* for the fermentative production of food grade citric acid from an aqueous carbohydrate substrate where the components of the substrate consist of substances permitted in carbohydrate substrates used in the conventional enzymatic production of citric acid.

The Commissioner of Food and Drugs, having evaluated data in the petition and other relevant material, concludes that Part 121 should be amended by adding § 121.1255 (21 CFR 121.1255) to provide for safe use of *Candida guilliermondii*.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)).)

Part 121 is amended by adding to Subpart D a new § 121.1255 to read as follows:

Subpart D—Food Additives Permitted in Food for Human Consumption; *Candida Guilliermondii*

§ 121.1255 *Candida guilliermondii*.

The food additive *Candida guilliermondii* may be safely used as the organism for fermentation production of citric acid in accordance with the following conditions:

(a) The food additive is the enzyme system of the viable organism *Candida guilliermondii* and its concomitant metabolites produced during the fermentation process.

(b) (1) The nonpathogenic and non-toxicogenic organism descending from strain, American Type Culture Collection (ATCC) No. 20474¹, is classified as follows:

Class: *Deuteromycetes*.
Order: *Moniliales*.
Family: *Cryptococcaceae*.
Genus: *Candida*.
Species: *guilliermondii*.
Variety: *guilliermondii*.

(2) The taxonomic characteristics of the reference culture strain ATCC No. 20474 agree in the essentials with the standard description for *Candida guilliermondii* variety *guilliermondii*, listed in "The Yeasts—A Taxonomic Study," 2d ed., 1970,² by J. Acromina Lodder.

(c) (1) The additive is used or intended for use as a pure culture in the fermentation process for the production

¹ Available from: American Type Culture Collection, 12301 Parklawn Drive, Rockville, MD 20852.

² Copies may be obtained from: Director, Division of Food and Color Additives, Bureau of Foods, 200 C St. SW., Washington, DC 20204.

of citric acid using an acceptable aqueous carbohydrate substrate.

(2) The organism *Candida guilliermondii* is made nonviable and is completely removed from the citric acid during the recovery and purification process.

(d) The additive is so used that the citric acid produced conforms to the specifications of the "Food Chemicals Codex," 2d ed., 1972.³

Any person who will be adversely affected by the foregoing regulation may at any time on or before November 15, 1976, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the regulation, specify with particularity the provisions of the regulation deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Five copies of all documents shall be filed and should be identified with the Hearing Clerk docket number found in brackets in the heading of this regulation. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date: This regulation shall become effective October 15, 1976.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1)).)

Dated: October 7, 1976.

JOSEPH P. HILE,
Acting Associate
Commissioner for Compliance.

NOTE.—Incorporation by reference provisions approved by the Director, Office of the Federal Register on July 10, 1973 and (September 9, 1976). The incorporated provisions are on file in the Federal Register Library.

[FR Doc.76-30083 Filed 10-14-76; 8:45 am]

[Docket No. 76F-0041]

PART 121—FOOD ADDITIVES

Food Additives Resulting From Contact with Containers or Equipment and Food Additives Otherwise Affecting Food, Antioxidants and/or Stabilizers for Polymers

The Food and Drug Administration is amending the food additive regulations to provide for the safe use of octadecyl 3,5 - di - *tert*-butyl-4-hydroxyhydrocinnamate in rigid acrylic and modified acrylic plastics intended to contact food. This amendment is effective October 15, 1976; objections by November 15, 1976.

Notice was given by publication in the FEDERAL REGISTER of March 5, 1976 (41 FR 9583) that a food additive petition (FAP 6B3165) had been filed by Amer-

³ Copies may be obtained from: National Academy of Sciences, 2101 Constitution Ave. NW., Washington, D.C. 20037.

ican Cyanamid Co., Wayne, NJ 07470, proposing that the food additive regulations be amended to provide for the use of octadecyl 3,5 - di - *tert*-butyl-4-hydroxyhydrocinnamate as an antioxidant and/or stabilizer in rigid acrylic and modified acrylic plastics intended to contact food.

The Commissioner of Food and Drugs, having evaluated the data in the petition and other relevant material, concludes that § 121.2566(b) (21 CFR 121.2566(b)) and § 121.2591(a) (5) (21 CFR 121.2591(a) (5)) should be amended as set forth below.

(Federal Food, Drug and Cosmetic Act (Sec. 409(c) (1), 72 Stat. 1786 (21 U.S.C. 348(c) (1)) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)).)

Subpart F of Part 121 is amended as follows:

1. In § 121.2566(b), by amending the item "Octadecyl 3,5-di-*tert*-butyl-4-hydroxyhydrocinnamate" by revising the second limitation to read as follows:

§ 121.2566 Antioxidants and/or stabilizers for polymers.

(b) List of substances:

	<i>Limitations</i>
Octadecyl 3,5 - di- <i>tert</i> - butyl-4-hydroxyhydrocinnamate.	For use only:

2. As provided in § 121.2520 and § 121.2591(a) (5).

2. In § 121.2591(a) (5), by alphabetically adding a new item to the list of substances, to read as follows:

§ 121.2591 Semirigid and rigid acrylic and modified acrylic plastics.

(a) * * *
(5) * * *

Octadecyl 3,5-di-*tert*-butyl-4-hydroxyhydrocinnamate: For use only at levels not exceeding 0.01 percent by weight in rigid acrylic and modified acrylic plastics intended for repeated food-contact use.

Any person who will be adversely affected by the foregoing regulation may at any time on or before November 15, 1976, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the regulation, specify with particularity the provisions of the regulation deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief

sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Five copies of all documents shall be filed and should be identified with the Hearing Clerk docket number found in brackets in the heading of this regulation. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date: This regulation shall become effective October 15, 1976. (Sec. 409(c) (1), 72 Stat. 1786 (21 U.S.C. 348(c) (1)).)

Dated: October 6, 1976.

JOSEPH P. HILE,
Acting Associate
Commissioner for Compliance.

[FR Doc.76-30080 Filed 10-14-76;8:45 am]

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Euthanasia Solution

The Food and Drug Administration approves a new animal drug application (100-809V) filed by Hoechst-Roussel Pharmaceuticals, Inc., Route 202-206 North, Somerville, N.J. 08876, for a drug intended for the humane euthanasia of animals without excitation or pain. The product is intended for use in dogs, cats, horses, mink, laboratory animals and birds. The approval is effective October 15, 1976.

The Commissioner Food and Drugs is amending Part 522 (21 CFR Part 522) to reflect this approval.

In accordance with § 514.11(e) (2) (ii) (21 CFR 514.11(e) (2) (ii)) of the animal drug regulations, a summary of the safety and effectiveness data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4-65, 5600 Fishers Lane, Rockville, Md. 20852, Monday through Friday from 9 a.m. to 4 p.m., except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), Part 522 is amended by adding new § 522.900 to read as follows:

§ 522.900 Euthanasia solution.

(a) *Specifications.* Each milliliter contains 200 milligrams of N-[2-(methoxy-phenyl)-2-ethyl-butyl-(1)]-gamma-hydroxybutyramide, 50 milligrams of 4,4'-methylene-bis(cyclohexyltrimethyl-ammonium iodide), 5 milligrams of tetracaine hydrochloride, with 0.6 milliliter dimethylformamide in distilled water.

(b) *Sponsor.* No. 000039 in § 510.600(c) of this chapter.

(c) *Conditions of use.* (1) The drug is used for the humane euthanasia of animals without excitation or pain. It is used in dogs, cats, horses, mink, small laboratory animals (mice, rats, guinea pigs, and rabbits) and birds (pigeons and parakeets).

(2) *Dosage.*—(i) *Dogs.* Intravenous or intracardiac injection: Use 0.3 milliliter/kilogram (0.14 milliliter/pound). Intrapulmonary injection: For animals weighing up to 10 kilograms, use 7 to 10 milliliters. In larger animals, follow initial 10 milliliters by another 3 to 10 milliliters by intrapulmonary or intracardiac administration.

(ii) *Cats.* Intravenous injection: Use 0.3 milliliter/kilogram (0.14 milliliter/pound). Intrapulmonary injection: Kittens a few days old, 1 milliliter; kittens up to 6 months of age, 3 milliliters; cats over 6 months of age, 5 milliliters; cats weighing more than 5 kilograms (11 pounds), 10 milliliters.

(iii) *Horses.* Intravenous injection: Use 4 to 6 milliliters/50 kilograms (110 pounds of body weight).

(iv) *Mink.* Intraperitoneal injection: 0.5 to 1 milliliter.

(v) *Birds and small laboratory animals.* Intrapulmonary injection: 0.5 to 2 milliliters.

(3) Not to be used for therapeutic purposes.

(4) Do not use in animals intended for food.

(5) Federal law restricts this drug to use by or on the order of a licensed veterinarian.

Effective date. This regulation shall be effective October 15, 1976.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))).

Dated: October 7, 1976.

C. D. VAN HOUWELING,
Director, Bureau of
Veterinary Medicine.

[FR Doc.76-30242 Filed 10-14-76;8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER B—PAYMENT PROCEDURES

PART 140—REIMBURSEMENT

Reimbursement for Employment of Public Employees on Federal-Aid Projects; Amendment

In Chapter I of title 23 of the Code of Federal Regulations, § 140.703(f) is amended by striking the period at the end thereof and adding the following: "In 23 CFR, Part 140, Subpart E".

Issued on: October 6, 1976.

DOWELL H. ANDERS,
Acting Chief Counsel.

[FR Doc.76-30221 Filed 10-14-76;8:45 am]

Title 24—Housing and Urban Development
CHAPTER X—FEDERAL INSURANCE AD-
MINISTRATION, DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD
INSURANCE PROGRAM

[Docket No. FI-2367]

PART 1915—IDENTIFICATION AND MAP-
PING OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard
Areas

The purpose of this notice is the identification of communities with areas of special flood or mudslide or erosion hazards in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001-4128). The identification of such areas is to provide guidance so that communities may adopt appropriate flood plain management measures to minimize damage caused by flood losses and to guide future construction, where practicable, away from locations which are threatened by flood hazards.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special flood hazards that is

located within any community participating in the National Flood Insurance Program.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply to loans by federally regulated, insured, supervised or approved lending institutions (1) to finance the acquisition of a residential dwelling occupied as a residence prior to March 1, 1976, or one year following identification of the area within which such dwelling is located as an area containing special flood hazards, whichever is later, or made to extend, renew, or increase the financing or refinancing in connection with such a dwelling, (2) to finance the acquisition of a building or structure completed and occupied by a small business concern, as defined by the Secretary, prior to January 1, 1976, (3) any loan or loans, which in the aggregate do not exceed \$5,000, to finance improvements to or rehabilitation of a building or structure occupied as a residence prior to January 1, 1976, or (4) any loan or loans, which in the aggregate do not exceed an amount prescribed by

the Secretary, to finance nonresidential additions or improvements to be used solely for agricultural purposes on a farm.

The effective date of identification shall be 30 days after the date of publication in the FEDERAL REGISTER (November 15, 1976). This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin 30 days after the date of publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under Section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later.

Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas (FHBMs in effect).

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Alabama	Lee	Auburn, city of	H 010144B 01 through H 010144B 15.	Director of planning, P.O. Box 511, Auburn, Ala. 36830.	Oct. 3, 1975 June 7, 1974 Sept. 10, 1976
Arkansas	Oucha	Louann, town of	H 050262 01	Mayor, Town Hall, Louann, Ark. 71751.	Nov. 5, 1976
California	San Diego	Coronado, city of	H 060287A 01 through H 060287A 05.	Building official, 1825 Stand Way, Coronado, Calif. 92118.	June 28, 1974 Sept. 10, 1976
Colorado	Jefferson	Golden, city of	H 030090 01 through H 030090 03.	Mayor, City Hall, 911 10th St., Golden, Colo. 80401.	Sept. 10, 1976 Nov. 5, 1976
Connecticut	New Haven	New Haven, city of	H 090034A 01 through H 090034A 12.	Mayor, City Hall, 200 Orange St., New Haven, Conn. 06510.	June 7, 1974 Sept. 10, 1976
Florida	Orange	Edgewood, city of	H 120183A 01	Mayor, P.O. Box 13274, Orlando, Fla. 3274.	July 19, 1974 Sept. 10, 1976
Idaho	Bingham	Blackfoot, city of	H 160019A 01 through H 160019A 03.	Mayor, City Hall, 157 North Broadway, Blackfoot, Idaho 83221.	Jan. 23, 1974 Sept. 10, 1976
Do.	Ada	Boise City, city of	H 160002B 01 through H 160002B 12.	Environmental planner, Ada Council of Governments, 625 West Jefferson St., Boise, Idaho 83702.	June 21, 1974 Sept. 12, 1976 Sept. 10, 1976
Illinois	Saline	Carrier Mills, village of	H 170786 01	Village president, Village Hall, Carrier Mills, Ill. 62917.	Nov. 5, 1976
Do.	Henry	Geneseo, city of	H 170284B 01 through H 170284B 07.	Mayor, 101 South State St., P.O. Box 64, Geneseo, Ill. 61254.	Mar. 6, 1976 Dec. 17, 1973 Sept. 10, 1976
Indiana	Noble	Kendallville, city of	H 180185B 01 through H 180185B 02.	Mayor, City Hall, Kendallville, Ind. 46755.	Sept. 10, 1976 Dec. 28, 1975 June 14, 1976
Iowa	Webster	Barnum, city of	H 190523 01	Mayor, City Hall, Barnum, Iowa 50518.	Nov. 5, 1976
Do.	Marshall	Clemmons, city of	H 190201 01	Mayor, City Hall, Clemmons, Iowa 50051.	Do.
Do.	Fayette	Clermont, city of	H 190374 01	Mayor, City Hall, Clermont, Iowa 52135.	Do.
Do.	Webster	Dayton, city of	H 190565 01	Mayor, City Hall, Dayton, Iowa 50530.	Do.
Do.	Dallas	Dexter, city of	H 190360 01	Mayor, City Hall, Dexter, Iowa 50070.	Do.
Do.	Worth	Kensett, city of	H 190749 01 through H 190749 02.	Mayor, City Hall, Kensett, Iowa 50448.	Do.
Do.	Mitchell	Mitchell, city of	H 190459 01	Mayor, City Hall, Mitchell, Iowa 50485.	Do.
Do.	Boone	Pilot Mound, city of	H 190326 01	Mayor, City Hall, Pilot Mound, Iowa 50223.	Do.
Do.	Bremer	Plainfield, city of	H 190327 01	Mayor, City Hall, Plainfield, Iowa 50660.	Do.
Do.	Allamakee	Postville, city of	H 190641 01	Mayor, City Hall, Postville, Iowa 52162.	Do.
Do.	Adams	Prescott, city of	H 190004 01	Mayor, City Hall, Prescott, Iowa 50859.	Do.
Do.	Buchanan	Quasqueton, city of	H 190332 01 through H 190332 04.	Mayor, City Hall, Quasqueton, Iowa 52320.	Do.
Do.	Wright	Rowan, city of	H 190797 01	Mayor, City Hall, Rowan, Iowa 50470.	Do.
Do.	Humbolt	Rutland, city of	H 190422 01 through H 190422 02.	Mayor, City Hall, Rutland, Iowa 50582.	Do.
Do.	Sac	Schaller, city of	H 190652 01	Mayor, City Hall, Schaller, Iowa 51053.	Do.
Do.	Cerro Gordo	Ventura, city of	H 190674 01 through H 190674 02.	Mayor, City Hall, Ventura, Iowa 50482.	Do.
Do.	Dubuque and Jackson	Zwingle, city of	H 190371 01	Mayor, City Hall, Zwingle, Iowa 52079.	Do.

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Kansas	Sedgwick	Garden Plains, city of	H 200498B 01	City clerk, City Hall, Garden Plains, Kans. 67050	Aug. 15, 1975
Do.	Sherman	Goodland, city of	H 200338B 01 through H 200338B 02.	Building inspector, P.O. Box 57, Goodland, Kans. 67735	Jan. 2, 1976
Do.	Wichita	Leoti, city of	H 200517 01	Mayor, City Hall, 201 North 4th St., Leoti, Kans. 67861	Feb. 15, 1974
Do.	Wabaunsee	Maple Hills, city of	H 200436 01	Mayor, City Hall, Main St., Maple Hills, Kans. 66507	Dec. 26, 1975
Do.	Jefferson	Meridan city of	H 200149 01	Mayor, City Hall, Main St., Meridan, Kans. 66512	Sept. 10, 1976
Do.	Harvey	North Newton, city of	H 200542 01 through H 200542 02.	Mayor, City Hall, P.O. Box 87, North Newton, Kans. 67717	Nov. 5, 1976
Do.	Grant	Ulysses, city of	H 200551 01	Mayor, City Hall, 114 West Grant Ave., Ulysses, Kans. 67880	Do.
Louisiana	Brenville, Parrish	Bienville, village of	H 220265 01	Mayor, Village Hall, Bienville, La. 71008	Do.
Do.	Natchitoches, Parrish	Campit, town of	H 220317 01 through H 220317 02.	Mayor, Town Hall, Campit, La. 71411	Do.
Do.	Jackson, Parrish	North Hodge, village of	H 220341 01	Mayor, Village Hall, North Hodge, La. 71247	Do.
Do.	Webster, Parrish	Sarepta, village of	H 220348 01	Mayor, Village Hall, Sarepta, La. 71071	Do.
Maine	Cumberland	Casco, town of	H 230044A 01 through H 230044A 15.	Selectman, Town Hall, Casco, Maine 04010	July 26, 1974
Do.	Aroostook	Frenchville, town of	H 230165A 01 through H 230165A 13.	Town manager, Box 146, Frenchville, Maine 04745	Sept. 20, 1974
Do.	Oxford	Oxford, town of	H 230869 01 through H 230869 17.	Chairman, Planning Board, R.F.D. No. 1, Mechanic Falls, Maine 04256	Sept. 10, 1976
Do.	York	Sanford, town of	H 230156A 01 through H 230156A 19.	Assistant town engineer, Town Hall, Sanford, Maine 04073	Nov. 5, 1976
Do.	Piscataquis	Sangerville, town of	H 230413A 01 through H 230413A 12.	Town manager, Town Office, Sangerville, Maine 04479	Sept. 13, 1974
Do.	Knox	Union, town of	H 230080A 01 through H 230080A 14.	Chairman, Board of Selectman, Selectmans Office, Box 221, Union, Maine 04862	Sept. 10, 1976
Massachusetts	Hampshire	Cummington, town of	H 250159A 01 through H 250159A 06.	Selectman, Town Hall, Main St., Cummington, Mass. 01026	Sept. 20, 1974
Do.	Norfolk	Medway, town of	H 250243A 01 through H 250243A 04.	Selectman, Town Hall, 155 Village St., Medway, Mass. 02053	Sept. 10, 1976
Do.	Worcester	North Brookfield, town of	H 250323A 01 through H 250323A 07.	Selectman, Town Hall, Main St., North Brookfield, Mass. 01535	Aug. 9, 1974
Do.	do	Templeton, town of	H 250339A 01 through H 250339A 13.	Selectman, Town Hall, Central St., Baldwinville, Mass. 01436	Sept. 10, 1976
Do.	do	Winchendon, town of	H 250348A 01 through H 250348A 13.	Selectman, Town Hall, 109 Front St., Winchendon, Mass. 01475	Aug. 23, 1974
Michigan	Huron	Huron, township of	H 260415 01 through H 260415 12.	Supervisor, Town of Huron, Port Hope, Mich. 48468	Sept. 10, 1976
Do.	Wayne	Inkster, city of	H 260232A 01 through H 260232A 04.	City manager, 2121 Inkster Rd., Inkster, Mich. 48141	Nov. 5, 1976
Do.	Jackson	Norvell, township of	H 260424 01 through H 260424 10.	Township supervisor, 109 Sweezy Lake Rd., Box 57, Norvell, Mich. 49263	Apr. 12, 1974
Do.	Branch	Ovid, township of	H 260362 01 through H 260362 12.	Supervisor, 438 East Central Rd., Coldwater, Mich. 49036	Sept. 10, 1976
Do.	Macomb	Sterling Heights, city of	H 260128B 01 through H 260128B 04.	Mayor, 40555 Utica Rd., Sterling Heights, Mich. 48078	June 29, 1973
Do.	do	Washington, township of	H 260447 01 through H 260447 12.	Supervisor, Township Hall, 155 South Rawles St., Romeo, Mich. 48065	Apr. 12, 1974
Minnesota	Crow Wing	Baxter, city of	H 270092A 01 through H 270092A 06.	Mayor, Rt. 8, Brainerd, Minn. 56401	Sept. 10, 1976
Do.	Swift	Benson, city of	H 270467A 01 through H 270467A 02.	Mayor, City Hall, 1411 Pacific Ave., Benson, Minn. 56215	May 17, 1974
Do.	do	De Graff, city of	H 270470A 01	Mayor, City Hall, De Graff, Minn. 56233	Sept. 10, 1976
Do.	Wabasha	Hammond, city of	H 270485A 01	Mayor, City Hall, Hammond, Minn. 55938	Aug. 9, 1974
Do.	Murray	Unincorporated areas	H 270645 01 through H 270645 48.	Mayor, City Hall, Hammond, Minn. 55938	Aug. 2, 1974
Do.	Carver	Watertown, city of	H 270056 01	Chairman, County Commissioners, Murray County Courthouse, Slayton, Minn. 56172	Nov. 5, 1976
Mississippi	Bolivar	Duncan, town of	H 270017 01	Mayor, P.O. Box 606, Watertown, Minn. 55388	Do.
Missouri	Washington	Caledonia, village of	H 290850 01	Mayor, City Hall, Duncan, Miss. 38740	Do.
Do.	Camden	Camdenton, city of	H 290742 01 through H 290742 04.	Chairman, Village Hall, Caledonia, Mo. 60631	Do.
Do.	Montgomery	New Florence, city of	H 290692 01	Mayor, City Hall, 112 Court Circle St., Camdenton, Mo. 65074	Do.
Do.	Francois	Leadwood, city of	H 290706 01	Mayor, City Hall, New Florence, Mo. 63863	Do.
Do.	Andrew	Savannah, city of	H 290664 01 through H 290664 02.	Mayor, City Hall, 102 East 7th St., Leadwood, Mo. 63653	Do.
Do.	Scotland	South Gorin, city of	H 290527 01	Mayor, City Hall, 302 Court St., Savannah, Mo. 64485	Do.
Do.	Newton	Sunnyvale, village of	H 290508 01	Mayor City Hall, South Gorin, Mo. 63543	Do.
Do.	Greene	Willard, city of	H 290653 01	Chairman, Village Hall, 3505 Finley Ave., Joplin, Mo. 64801	Do.
Do.	Shannon	Winona, city of	H 290419 01	Mayor, City Hall, Box 187, Willard, Mo. 65781	Do.
Do.	Ray	Wood Heights, village of	H 290639 01 through H 290639 02.	Mayor, City Hall, Winona, Mo. 65588	Do.
Montana	Treasure	Hysham, town of	H 300080A 01	Chairman, Village Hall, P.O. Box 253, Excelsior Springs, Mo. 64024	Do.
Nebraska	Holt	Atkinson, city of	H 310343 01	Mayor, Town Hall, Hysham, Mont. 59038	Do.
Do.	Cass	Unincorporated areas	H 310407 01 through H 310407 40.	Mayor, City Hall, Atkinson, Nebr. 68713	Do.
Do.	Fillmore	Exeter, village of	H 310080 01	Zoning administrator, County House, Plattsmouth, Nebr. 68048	Do.
Do.	Cedar	Laurel, city of	H 310085 01	Chairman, Village Hall, Exeter, Nebr. 68351	Do.
Do.	Kearney	Wilcox, village of	H 310334 01	Mayor, City Hall, Laurel, Nebr. 68745	Do.
New Hampshire	Coos	Jefferson, town of	H 330033A 01 through H 330033A 16.	Chairman, Village Hall, Wilcox, Nebr. 68982	Do.
New Jersey	Camden	Camden, city of	H 340128A 01 through H 340128A 03.	Selectman, Town Hall, Jefferson, N.H. 03583	Feb. 21, 1975
Do.	Essex	Cedar Grove, township of	H 340180A 01 through H 340180A 02.	Mayor, 6th and Market St., Camden, N.J.	Sept. 10, 1976
Do.	Hunterdon	East Amwell, township of	H 340498A 01 through H 340498A 10.	Mayor, 525 Pompton Ave., Cedar Grove, N.J. 07009	Apr. 12, 1974
Do.	Monmouth	Englishtown, borough of	H 340294 01 through H 340294 02.	Mayor, P.O. Bin F. Ringoes, N.J. 08551	Sept. 10, 1976
Do.	Cumberland	Greenwich, township of	H 340169 01 through H 340169 08.	Mayor, 13 Main St., Englishtown, N.J. 07726	Nov. 5, 1976
				Mayor, Box 64, Greenwich, N.J. 08323	Do.

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Middlesex	Metuchen, borough of	H 340266 01	Mayor, P.O. Box 592, 500 Main St., Metuchen, N.J. 08940.	Do.
Do.	Monmouth	Ocean, township of	H 340319B 01 through H 340319B 05.	Mayor, Monmouth and Deal Rd., Oakhurst, N.J. 07755.	June 1, 1973
Do.	Passaic	Totowa, borough of	H 304048A 01 through H 340408A 02.	Mayor, Municipal Bldg., 537 Totowa, N.J. 07521.	May 31, 1971
Do.	Salem	Upper Penns Neck, township of	H 340324A 01 through H 340324A 07.	Mayor, Corner D and Walker Ave. Carney's Point, N.J. 08069.	Sept. 10, 1970
Do.	Bergen	Washington, township of	H 340030 01 through H 340030 06.	Administrator, 350 Hudson Ave., Westwood, N.J. 07675.	June 28, 1971
New Mexico	Bernalillo	Los Ranchos De Albuquerque, village of	H 350123 01	Mayor, Village Hall, 7115 Guadalupe Trapl NW., Los Ranchos De, Albuquerque, N. Mex. 87107.	Sept. 10, 1970
New York	Orleans	Albion, village of	H 360641A 01 through H 360641A 02.	Mayor, Village Hall, Albion, N.Y. 14411.	Do.
Do.	Oneida	Ava, town of	H 360518A 01 through H 360518A 05.	Supervisor, R.D. 2, Boonville, N.Y. 13309.	May 21, 1971
Do.	Chataqua	Cherry Creek, village of	H 360136A 01	Mayor, Village Hall, Cherry Creek, N.Y. 14723.	Sept. 10, 1970
Do.	Rockland	Clarkstown, town of	H 360679A 01 through H 360679A 05.	Mayor, Village Hall, Cherry Creek, N.Y. 14723.	May 10, 1974
Do.	Albany	Coeymans, town of	H 360005A 01 through H 360005A 04.	Town supervisor, Town Hall, Maple Ave., New City, N.Y. 10956.	Sept. 10, 1970
Do.	Chemung	Elmira Heights, village of	H 360152 01 through H 360152 02.	Supervisor, Russell Ave., Revina, N.Y. 12143.	June 28, 1971
Do.	Steuben	Erwin, town of	H 360774A 01 through H 360774A 11.	Mayor, Village Hall, Elmira Heights, N.Y. 14903.	Nov. 5, 1970
Do.	Onondaga	Fayetteville, village of	H 360578A 01	Supervisor, Town Hall, Painted Post, N.Y. 14870.	Nov. 23, 1973
Do.	Oneida	Forestport, town of	H 360529A 01 through H 360529A 11.	Mayor, 425 East Genesee St., Fayetteville, N.Y. 13066.	Sept. 10, 1970
Do.	Cattaraugus	Franklinville, town of	H 360072 01 through H 360072 14.	Supervisor, North Lake Rd., Forestport Station, N.Y. 13333.	Nov. 5, 1970
Do.	Monroe	Gates, town of	H 360116A 01 through H 360116A 02.	Town supervisor, Town Hall, Franklinville, N.Y. 14737.	Nov. 5, 1970
Do.	Ontario	Geneva, city of	H 360599A 01 through H 360599A 03.	Town supervisor, 1605 Buffalo Rd., Rochester, N.Y. 14621.	Do.
Do.	Warren	Hague, town of	H 360873A 01 through H 360873A 11.	City manager, City Hall, 47 Castle St., Geneva, N.Y. 14456.	May 17, 1971
Do.	Columbia	Kinderhook, village of	H 361045A 01 through H 361045A 05.	Town supervisor, Town Hall, Hague, N.Y. 12836.	Sept. 10, 1970
Do.	Jefferson	Lyme, town of	H 360343A 01 through H 360343A 06.	Mayor, Village Hall, Kinderhook, N.Y. 12106.	Do.
Do.	Wayne	Macedon, town of	H 361230A 01 through H 361230A 12.	Supervisor, Aradamy St., Chaumont, N.Y. 13621.	Do.
Do.	Schoharie	Middleburg, village of	H 361245B 01	Town supervisor, 7 Drumlin Dr., Macedon, N.Y. 14502.	Dec. 20, 1974
North Carolina	Davidson, Guilford and Randolph	High Point, city of	H 370113A 01 through H 370113A 15.	Mayor, 53 Lawyers Lane, Middleburg, N. Y. 12122.	Sept. 10, 1970
North Dakota	Shoridan	McClusky, city of	H 380109 01	Mayor, P.O. Box 230, High Point, N.C. 27261.	Sept. 10, 1970
Do.	Stark	Taylor, city of	H 380118 01	Mayor, City Hall, McClusky, N. Dak. 58463.	Nov. 5, 1970
Ohio	Summit	Akron, city of	H 390523A 01 through H 390523A 18.	Mayor, City Hall, P.O. Box 125, Taylor, N. Dak. 58560.	Do.
Do.	Hocking	Logan, city of	H 390274A 01 through H 390274A 02.	Mayor, 166 South High St., Akron, Ohio 44303.	Mar. 15, 1974
Do.	Portage	Ravenna, city of	H 390458 01 through H 390458 04.	Mayor, City Hall, 101 East Main St., Logan, Ohio 43133.	Sept. 10, 1970
Do.	Wayne	Shreve, village of	H 390647A 01	Mayor, 210 Parkway, P.O. 32, Ravenna, Ohio 44266.	May 31, 1974
Oklahoma	Custer	Butler, town of	H 400266 01	Mayor, 150 West McConley, Shreve, Ohio 44670.	Sept. 10, 1970
Do.	Pushmataha	Clayton, town of	H 400358 01	Mayor, Town Hall, South Main St., P.O. Box 84, Butler, Okla. 73825.	Nov. 5, 1970
Do.	Garvin	Elmore City, town of	H 400374 01	President, Town Hall, P.O. Box 278, Clayton, Okla. 74539.	Do.
Do.	Comanche	Indianola, town of	H 400287 01	Mayor, Town Hall, P.O. Box 63, Elmore, Okla. 73335.	Do.
Do.	Gervin	Paoli, town of	H 400317 01	Town clerk, Town Hall, Indianola, Okla. 73352.	Do.
Do.	Jefferson	Rayan, city of	H 400439 01	President, Town Hall, P.O. Box 187, Paoli, Okla. 73074.	Do.
Do.	Dewey	Vici, town of	H 400448 01	Mayor, City Hall, Ryan, Okla. 73363.	Do.
Oregon	Washington	Cornelius, city of	H 410261 01	President, Town Hall, P.O. Box 277, Vici, Okla. 73359.	Do.
Pennsylvania	Crawford	Athens, township of	H 421562A 01 through H 421562A 04.	Mayor, City Hall, Cornelius, Oreg. 97113.	Do.
Do.	Clinton	Flemington, borough of	H 420326A 01	Chairman, R.D. 1, Box 9, Centerville, Pa. 16101.	Do.
Do.	Allegheny	Forest Hills, borough of	H 420035A 01	Mayor, 502 Frederick St., Flemington, Pa. 17745.	June 15, 1973
Do.	do	Frazer, township of	H 421288 01	Mayor, 2071 Ardmore Blvd., Pittsburgh, Pa. 15221.	Sept. 10, 1970
Do.	Franklin	Greene, township of	H 421649A 01 through H 421649A 11.	Chairman, R.D. 3, Tarentum, Pa. 15084.	May 10, 1974
Do.	Centre	Gregg, township of	H 421194A 01 through H 421194A 04.	Chairman, township supervisor, Route 1, Chambersburg, Pa. 17201.	Sept. 10, 1970
Do.	Allegheny	Ingram, borough of	H 420045 01	Chairman, R.D. 1, Spring Mills, Pa. 16375.	Oct. 18, 1974
Do.	Berks	Kenhorst, borough of	H 420135 01	President of council, 40 West Prospect Ave., Pittsburgh, Pa. 15205.	Nov. 5, 1970
Do.	Northampton	Lower Saucon, township of	H 420682A 01 through H 420682A 03.	President, 339 South Kenhorst, Kenhorst, Pa. 19607.	Do.
Do.	Westmoreland	Murrysville, borough of	H 421207 01 through H 421207 12.	Mayor, R.D. 3, Town Hall, Bethlehem, Pa. 18015.	June 23, 1974
Do.	Tioga	Nelson, township of	H 421181A 01 through H 421181A 03.	Mayor, P.O. Box 127, Murrysville, Pa. 15563.	Sept. 10, 1970
Do.	Clearfield	Pike, township of	H 421190A 01 through H 421190A 07.	Chairman, Township Bldg., Nelson, Pa. 16310.	Sept. 6, 1974
Do.	Dauphin	Royalton, borough of	H 420394A 01	Chairman, R.D., Curwensville, Pa. 16333.	Sept. 6, 1974
Do.	Westmoreland	South Greensburg, borough of	H 420900A 01 through H 420900A 02.	Mayor, 310 Wyoming St., Royalton, Middletown, Pa. 17057.	Sept. 10, 1970
Do.	do	South Huntingdon, township of	H 422194A 01 through H 422194A 07.	Mayor, 1515 Poplar St., South Greensburg, Pa. 16001.	June 14, 1974
Do.	Chester	Westtown, township of	H 420294 01 through H 420294 02.	Chairman, Box 133, West Newton, Pa. 16069.	Sept. 10, 1970
Do.	Allegheny	White Oak, borough of	H 420039A 01 through H 420039A 05.	Chairman, Township Bldg., Westtown, Pa. 19395.	Aug. 9, 1974
				Mayor, 2280 Lincoln Way, White Oak, Pa. 15131.	Sept. 10, 1970

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Rhode Island	Providence	Foster, town of	H 46033A 01 through H 46033A 12	President, Town Council, Town Hall, Foster, R.I. 02825	Sept. 12, 1974
South Dakota	Perkins	Bison, town of	H 46033A 01	Town president, Town Hall, Bison, S. Dak. 57620	Sept. 12, 1974
Do	Harding	Buffalo, town of	H 46037 01	President, Town Hall, Buffalo, S. Dak. 57720	Nov. 5, 1974
Do	Custer	Buffalo Gap, town of	H 46047 01	Town president, Town Hall, Buffalo Gap, S. Dak. 57722	Do
Do	Edmunds	Ipswich, city of	H 46044 01	Mayer, City Hall, Ipswich, S. Dak. 57431	Do
Texas	Fannin	Ballou, town of	H 45954 01	Mayer, Town Hall, Ballou, Tex. 76433	Do
Do	Cass	Bloomburg, town of	H 45952 01	Mayer, Town Hall, Bloomburg, Tex. 76200	Do
Do	Hunt	Commerce, city of	H 45952A 01 through H 45952A 11	Mayer, City Hall, Commerce, Tex. 76428	Mar. 8, 1974
Do	Rains	East Tawakeni, town of	H 45970 01 through H 45970 01	Mayer, Town Hall, P.O. Box 477, Lone Oak, Tex. 75453	Sept. 19, 1974
Do	Rockwall	Fate, city of	H 45974 01 through H 45974 01	Mayer, City Hall, P.O. Box 31, Fate, Tex. 75032	Nov. 5, 1974
Do	Trinity	Groveton, city of	H 45132 01 through H 45132 01	Mayer, City Hall, P.O. Box 37, Groveton, Tex. 75342	Do
Do	Hansford	Gruver, city of	H 45110 01 through H 45110 02	Mayer, City Hall, P.O. Box 217, Gruver, Tex. 76010	Do
Do	Hill	Itasca, city of	H 45970 01	Mayer, City Hall, 123 North Hall, Itasca, Tex. 76055	Do
Do	do	Martens, town of	H 45972 01	Mayer, Town Hall, P.O. Box 53, Martens, Tex. 76066	Do
Do	Mokey	Mokador, town of	H 45974 01	Mayer, Town Hall, P.O. Box 367, Mokador, Tex. 76244	Do
Do	Hill	Mount Calm, city of	H 45973 01	Mayer, P.O. Box 73, Mount Calm, Tex. 76073	Do
Do	Medina	Natalia, city of	H 45112 01	Mayer, City Hall, Natalia, Tex. 76831	Do
Do	Husk	New London, city of	H 45113 01 through H 45113 02	Mayer, City Hall, P.O. Box 428, New London, Tex. 76052	Do
Do	Young	Olney, city of	H 45958B 01	Mayer, City Hall, Olney, Tex. 76371	Apr. 12, 1974
Do	Upshur	Ora City, city of	H 45103 01	Mayer, P.O. Box 327, Ora City, Tex. 76063	Mar. 12, 1976
Do	Clay	Petrolia, town of	H 45075 01	Mayer, P.O. Box 154, Petrolia, Tex. 76777	Nov. 5, 1974
Do	Rains	Point, city of	H 45110 01	Mayer, City Hall, Point, Tex. 75472	Do
Do	Barker and Tarrant	Reno, town of	H 45993 01 through H 45993 02	Mayer, Town Hall, Reno, Tex. 76070	Do
Do	Cameron	San Benito, city of	H 45913 01 through H 45913 07	Mayer, City Hall, 493 North San Houston, San Benito, Tex. 76081	Do
Do	Henderson	Seven Points, city of	H 45932 01 through H 45932 02	Clark, Route 5, Kamp, Tex. 75143	Do
Do	Burleson	Snack, city of	H 45999 01	Mayer, City Hall, Snack, Tex. 76683	Do
Do	Travis	Sunset Valley, city of	H 45127 01	Mayer, 16 Sunset Ter., Sunset Valley, Tex. 75745	Do
Do	Limestone	Thornton, town of	H 45914 01	Mayer, P.O. Box 45, Thornton, Tex. 76787	Do
Do	Shelby	Timpson, city of	H 45107 01 through H 45107 02	Mayer, City Hall, Timpson, Tex. 75785	Do
Do	Collin	Westminster, town of	H 45973 01 through H 45973 02	Mayer, City Hall, P.O. Box 610, East Side Square, Westminster, Tex. 76793	Do
Do	Grayson	Whitewright, town of	H 45983 01 through H 45983 02	Mayer, Town Hall, West Grand Ave., Whitewright, Tex. 76791	Do
Utah	CACHE	Paradise, town of	H 45923 01	Town president, Town Hall, Paradise, Utah 84303	Do
Vermont	Franklin	Bakersfield, town of	H 60010A 01 through H 60010A 15	Chairman, selectman, Town Hall, Bakersfield, Vt. 05441	Feb. 7, 1975
Do	do	Berkshire, town of	H 60012A 01 through H 60012A 12	Zoning administrative officer, East Berkshire, Vt. 05477	Sept. 15, 1976
Do	Windham	Dummerston, town of	H 60013A 01 through H 60013A 12	Chairman, P.O. Putney, Vt. 05302	May 31, 1974
Do	Rutland	Hubbardton, town of	H 60013A 01 through H 60013A 09	Chairman, Board of Selectman, R.F.D. No. 1, Fair Haven, Vt. 05743	Sept. 19, 1976
Do	Washington	Waitsfield, town of	H 60013A 01 through H 60013A 12	Chairman, Waitsfield Planning Commission, Box 112, Waitsfield, Vt. 05673	Dec. 13, 1974
Do	Rutlands	Wells, town of	H 60071A 01 through H 60071A 03	Chairman, Board of Selectman, Wells, Vt. 05774	Sept. 19, 1976
Virginia	Accomack	Belle Haven, town of	H 51012A 01 through H 51012A 01	Mayer, Municipal Bldg., Belle Haven, Va. 22009	Jan. 19, 1975
Do	do	Charlottesville, city of	H 51003B 01 through H 51003B 01	City manager, P.O. Box 611, Charlottesville, Va. 22902	Nov. 1, 1974
Do	Giles	Rich Creek, town of	H 51007 01 through H 51007 02	Mayer, Box 65, Rich Creek, Va. 22847	Jan. 3, 1975
Do	Winchester	Winchester, city of	H 51013A 01 through H 51013A 05	Mayer, City Hall, Winchester, Va. 22601	May 24, 1974
Washington	Snohomish	Mounce, city of	H 50019 01 through H 50019 02	Mayer, City Hall, 209 East Main St., Mounce, Wash. 98271	Sept. 19, 1976
West Virginia	Webster	Cowen, town of	H 50030A 01	Mayer, Box 536, Cowen, W. Va. 26006	Nov. 5, 1974
Wisconsin	Sauk	Baraboo, city of	H 50022A 01 through H 50022A 02	Mayer, 105 Port St., Baraboo, Wis. 53003	Do
Do	Racine	North Bay, village of	H 50029A 01	Village president, 601 North Vincennes, Circle, Racine, Wis. 53402	Dec. 17, 1974
Do	Milwaukee	Milwaukee, city of	H 50033A 01 through H 50033A 02	Mayer, P.O. Box 577, South Milwaukee, Wis. 53172	Sept. 19, 1976
Do	Douglas	Superior, city of	H 50010A 01 through H 50010A 14	Mayer, 1609 Hammond Ave., Superior, Wis. 54880	Dec. 23, 1974
Do	do	Superior, village of	H 50017 01	Mayer, 6103 Ogden Ave., Superior, Wis. 54880	Sept. 19, 1976
Alabama	Washington	Milby, town of	H 01007 01 through H 01007 01	Mayer, P.O. Box 11, Milby, Ala. 36557	Nov. 12, 1976
Do	Madison	Huntsville, city of	H 01033A 01	Mayer, P.O. Box 373, Huntsville, Ala. 35811	May 21, 1974
California	Riverside	Lake Elsinore, city of	H 06033A 01 through H 06033A 10	Planning Assistant, 109 S. Main St., Lake Elsinore, Calif. 92530	Sept. 17, 1976
Do	Marin	San Rafael, city of	H 06033A 01 through H 06033A 12	Mayer, City Hall, San Rafael, Calif. 94901	June 25, 1974
Do	Sonoma	Sonoma, city of	H 06033B 01	Public Works Director, No. 1, The Plaza, Sonoma, Calif. 94960	Sept. 17, 1976
Do	Mendocino	Ukiah, city of	H 06013A 01 through H 06013A 02	Mayer, City Hall, 233 South School St., Ukiah, Calif. 95568	Feb. 22, 1974
Colorado	Grand	Grand Lake, town of	H 06014A 01	Mayer, P.O. Box 6, Grand Lake, Colo. 80447	Jan. 30, 1975
Do	Delta	Hotchkiss, town of	H 06014A 01	Mayer, Town Hall, 232 Bridge, P.O. Box 373, Hotchkiss, Colo. 81413	Sept. 17, 1976
Connecticut	Fairfield	Brookfield, town of	H 06000A 01 through H 06000A 10	Selectman, Town Hall, Route 25, Brookfield Center, Brookfield, Conn. 06230	June 21, 1974
Do	do	Easton, town of	H 06000A 01 through H 06000A 11	Selectman, Town Hall, 274 Center Rd., P.O. Box 61, Easton, Conn. 06122	Sept. 17, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Florida	Seminole	Longwood, city of	H 120292A 01 through H 120292A 03.	Mayor, 175 West Warren Ave., Longwood, Fla. 32750.	Jan. 23, 1974
Illinois	Kankakee	Bourbonnais, village of	H 170337 01 through H 170337 02.	Village President, Village Hall, 700 Main St., NW., Bourbonnais, Ill. (no ZIP code).	Sept. 17, 1970
Do.	Lawrence	Russellville, village of	H 170800A 01.	Village President, Rural Route 2, Vincennes, Ill. 47591.	Nov. 12, 1970
Do.	Union	Unincorporated areas	H 170656A 01 through H 170656A 32.	Chairman, County Board, Route 1, Anna, Ill. 62900.	Nov. 29, 1974
Do.	Will	Wilmington, city of	H 170715A 01.	Mayor, 114 North Maine St., Wilmington, Ill. 60381.	Sept. 17, 1970
Iowa	Clinton	Clinton, city of	H 190088A 01 through H 190088A 21.	Mayor, City Hall, Clinton, Iowa 52732.	Apr. 12, 1974
Do.	Allamakee	Lansing, city of	H 190006 01 through H 190006 03.	Mayor, City Hall, Lansing, Iowa 52151.	Sept. 17, 1970
Do.	Marshall	Le Grand, city of	H 190606 01.	Mayor, City Hall, Le Grand, Iowa 50142.	June 23, 1974
Do.	Greene	Scranton, city of	H 190654 01 through H 190654 02.	Mayor, City Hall, Scranton, Iowa 51462.	Sept. 17, 1970
Do.	Woodbury	Smithland, city of	H 190300 01.	Mayor, City Hall, Smithland, Iowa 51056.	Nov. 12, 1970
Do.	Jones	Wyoming, city of	H 190434 01.	Mayor, City Hall, Wyoming, Iowa 52262.	Do.
Kansas	Ness	Ransom, city of	H 200450 01.	Mayor, City Hall, Ransom, Kans. 67572.	Do.
Kentucky	Jessamine	Nicholasville, city of	H 210126A 01 through H 210126A 02.	Mayor, 205 West Oak St., Nicholasville, Ky. 40356.	June 23, 1974
Louisiana	Rapides Parish	Forest Hills, village of	H 220287 01 through H 220287 03.	Mayor, Village Hall, Forest Hills, La. 71430.	Sept. 17, 1970
Do.	De Soto Parish	Keatchie, village of	H 220297 01 through H 220297 02.	Mayor, Village Hall, Keatchie, La. 71046.	Nov. 12, 1970
Do.	Red River Parish	Martin, village of	H 220372 01 through H 220372 05.	Mayor, Village Hall, Martin, La. 71010.	Do.
Do.	St. Helena Parish	Montpelier, village of	H 220300 01 through H 220300 03.	Mayor, Village Hall, Montpelier, La. 70422.	Do.
Do.	Morehouse Parish	Oak Ridge, village of	H 220303 01.	Mayor, Village Hall, Oak Ridge, La. 71264.	Do.
Do.	La Salle Parish	Olla, city of	H 220343 01.	Mayor, City Hall, Olla, La. 71405.	Do.
Do.	Ouachita Parish	West Monroe, city of	H 220138A 01 through H 220138A 03.	Mayor, City Hall, West Monroe, La. 71291.	Nov. 12, 1970
Maine	Piscataquis	Atkinson, town of	H 230407A 01 through H 230407A 03.	Selectman, R.F.D. No. 3, Dover-Foxcroft, Maine, 04420.	Sept. 17, 1970
Do.	Washington	Danforth, town of	H 230136A 01 through H 230136A 16.	Selectman, Town Hall, Danforth, Maine 04421.	Feb. 21, 1975
Do.	Penobscot	Dexter, town of	H 230105A 01 through H 230105A 12.	Selectman, Town Hall, Dexter, Maine 04230.	Sept. 17, 1970
Do.	do	Eddington, town of	H 230382A 01 through H 230382A 11.	Town Clerk, R.F.D. No. 1, P.O. Box 389, East Holden, Maine (no ZIP code).	Aug. 9, 1974
Do.	Hancock	Tremont, town of	H 230298A 01 through H 230298A 18.	Town Manager, Tremont, Maine 04612.	Sept. 17, 1970
Do.	Kennebec	Windsor, town of	H 230251A 01 through H 230251A 12.	Chairman, Board of Selectman, Town Hall, Windsor, Maine 04363.	Jan. 31, 1975
Do.	Cumberland	Yarmouth, town of	H 230055A 01 through H 230055A 10.	Town Manager, Town Hall, P.O. Box 453, Yarmouth, Maine 04096.	Sept. 17, 1970
Massachusetts	Worcester	Ashburnham, town of	H 250299A 01 through H 250299A 14.	Chairman, Board of Selectman, Town Hall, Main St., Ashburnham, Mass. 01430.	July 19, 1974
Do.	Franklin	Buckland, town of	H 250111A 01 through H 250111A 09.	Chairman, Board of Selectman, Ashfield Road, Shelburne Falls, Mass. 01370.	Sept. 17, 1970
Do.	Norfolk	Dover, town of	H 250238A 01 through H 250238A 07.	Chairman, Town Hall, Conservation Commission, Dover, Mass. 02003.	May 31, 1971
Do.	Berkshire	Florida, town of	H 250023 01 through H 250023 11.	Selectman, Town Hall, Drury Post Office, Florida, Mass. 01343.	Sept. 20, 1974
Do.	Franklin	Gill, town of	H 250117A 01 through H 250117A 07.	Selectman, Town Hall, Gill Center, Gill, Mass. 01370.	Nov. 12, 1970
Do.	Essex	Ipswich, town of	H 250086A 01 through H 250086A 16.	Selectman, Town Hall, Elm St., Ipswich, Mass. 01933.	Mar. 15, 1974
Do.	do	Lynn, city of	H 250088A 01 through H 250088A 07.	Mayor, City Hall, Square Lynn, Mass. 01901.	Sept. 17, 1970
Michigan	Monroe	Berlin, township of	H 260143 01 through H 260143 09.	Supervisor, 5651 Trombley Rd., Newport, Mich. 48166.	June 23, 1974
Do.	Lenawee	Hudson, city of	H 260116A 01.	City Manager, 121 North Church St., Hudson, Mich. 49247.	Sept. 17, 1970
Do.	Marquette	Ishpeming, city of	H 260133 01 through H 260133 04.	Mayor, 100 East Division, Ishpeming, Mich. 49840.	Nov. 12, 1970
Do.	Kent	Kentwood, city of	H 260107A 01 through H 260107A 07.	Mayor, 1661 44th St., SE., Kentwood, Mich. 49508.	May 17, 1974
Do.	Berrien	Watervliet, township of	H 260048 01 through H 260048 06.	Supervisor, R.D. 3, Box 143, Beechwood Cr., Watervliet, Mich. 29093.	Sept. 17, 1970
Missouri	St. Louis	Bel-Ridge, village of	H 290333A 01 through H 290333A 02.	Chairman, Village Hall, 8765 Natural Bridge, Normandy, Mo. 63121.	Nov. 12, 1970
Do.	Crawford	Cuba, city of	H 290356 01 through H 290356 04.	City Hall, 112 North Smith, Cuba, Mo. 64533.	Aug. 2, 1974
Do.	St. Louis	Hanley Hills, village of	H 290356A 01.	Chairman, Village Hall, 7713 Utica, St. Louis, Mo. 63133.	Sept. 17, 1970
Do.	Platte	Platte Woods, city of	H 290536 01.	Mayor, City Hall, 6820 Tower Dr., Kansas City, Mo. 64151.	Nov. 12, 1970
Do.	Jackson	Raytown, city of	H 290176A 01 through H 290176A 08.	Mayor, City Hall, 1000 East 59th St., P.O. Box 9333, Raytown, Mo. 64133.	Dec. 21, 1973
Do.	Warren	Truesdale, village of	H 290511 01.	Chairman, Village Hall, Warrenton, Mo. 63330.	Sept. 17, 1970
Nebraska	Knox	Creighton, city of	H 310360 01.	Mayor, City Hall, Creighton, Nebr. 68729.	Nov. 12, 1970
New Hampshire	Grafton	Campton, town of	H 330048A 01 through H 330048A 12.	Selectman, Office of Selectman, P.O. Box 75, West Campton, N.H. 03228.	Apr. 6, 1974
Do.	Rockingham	Greenland, town of	H 330210A 01 through H 330210A 06.	Selectman, Town Hall, Greenland, N.H. 03340.	Sept. 17, 1970
Do.	Hillsborough	Peterborough, town of	H 330101 01 through H 330101 14.	Selectman, Town Hall, Peterborough, N.H. 03458.	Feb. 21, 1975
New Jersey	Hudson	Bayonne, city of	H 340218A 01 through H 340218A 03.	Mayor, 630 Avenue C, Bayonne, N.J. 07002.	Nov. 12, 1970
Do.	Monmouth	Colts Neck, township of	H 340291A 01 through H 340291A 10.	Vice Chairman, Environmental Commission, Hayers Mill Rd., R.F.D. No. 2, Colts Neck, N.J. 07722.	May 17, 1974
Do.	Somerset	Franklin, township of	H 340434A 01 through H 340434A 13.	Mayor, 475 Demotte Lane, Somerset, N.J. 08873.	Apr. 12, 1974
Do.	Camden	Lawnside, borough of	H 340502A 01.	Mayor, 4 Douglass Ave., Lawnside, N.J. 08045.	Sept. 17, 1970
Do.	Bergen	Park Ridge, borough of	H 340063A 01 through H 340063A 16.	Mayor, 55 Park Ave., Park Ridge, N.J. 07650.	Nov. 12, 1970
Do.	Burlington	Southampton, township of	H 340115A 01 through H 340115A 14.	Mayor, Plum St., Vincentown, N.J. 08088.	Jan. 9, 1974

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
New Mexico	Chaves	Dexter, town of	H 350112A 01	Mayer, Box 247, Dexter, N. Mex. 88220	May 2, 1975
Do	Valencia	Grants, town of	H 350099 01 through H 350099 03	Mayer, Town Hall, P.O. Box 579, Grants, N. Mex. 86020	Sept. 17, 1976
New York	Jefferson	Black River, village of	H 361533B 01 through H 361533B 04	Mayer, Village Hall, Black River, N.Y. 13612	Nov. 12, 1976
Do	Orange	Blooming Grove, town of	H 360688A 01 through H 360688A 11	Supervisor, Town Hall, Blooming Grove, N.Y. 10902	Jan. 30, 1976
Do	Madison	Brookfield, town of	H 360322A 01 through H 360322A 18	Supervisor, Town Hall, Brookfield, N.Y. 13314	Jan. 3, 1975
Do	Rensselaer	Brunswick, town of	H 361129A 01 through H 361129A 13	Supervisor, R.D. 1, Box 321, Troy, N.Y. 12180	Sept. 17, 1976
Do	Jefferson	Cape Vincent, town of	H 361062A 01 through H 361062A 06	Supervisor, R.D., Cape Vincent, N.Y. 13318	June 7, 1974
Do	do	Cape Vincent, village of	H 361574A 01	Treasurer, Village Hall, Cape Vincent, N.Y. 13618	Sept. 17, 1976
Do	Clinton	Champlain, town of	H 361311A 01 through H 361311A 07	Town Supervisor, Reams Point, N.Y. 12579	May 21, 1976
Do	Thompson	Ithaca, town of	H 360831A 01 through H 360831A 03	Supervisor, 130 East Seneca St., Ithaca, N.Y. 14850	Sept. 17, 1976
Do	Onondaga	Onondaga, town of	H 360388A 01 through H 360388A 17	Supervisor, 4501 West Seneca Turnpike, Syracuse, N.Y. 13215	Aug. 30, 1974
Do	Rockland	Piermont, village of	H 360687A 01	Mayer, 476 Piermont Ave., Piermont, N.Y. 10963	Sept. 17, 1976
Do	Steuben	Rathbone, town of	H 360781A 01 through H 360781A 03	Supervisor, R.D. 3, Addison, N.Y. 14501	Mar. 15, 1974
Do	Clinton	Schuyler Falls, town of	H 360172A 01 through H 360172A 03	Town Supervisor, Box 99, Morrisville, N.Y. 12562	Sept. 17, 1976
Do	Chenango	Sherburne, town of	H 361397A 01 through H 361397A 03	Town Supervisor, Town Hall, Sherburne, N.Y. 13450	Sept. 13, 1974
Do	Sullivan	Tusten, town of	H 360831A 01 through H 360831A 01	Supervisor, Town Hall, Narrowsburg, N.Y. 12764	Sept. 17, 1976
North Carolina	Bladen	Bladenboro, town of	H 370930A 01 through H 370930A 02	Mayer, P.O. Box 425, Bladenboro, N.C. 28320	Aug. 9, 1974
Do	Union	Monroe, city of	H 370220A 01 through H 370220A 01	Mayer, P.O. Box 62, Monroe, N.C. 28110	Sept. 17, 1976
Oklahoma	Creek, Tulsa, and Pawnee	Mannford, town of	H 400329 01 through H 400329 12	President, Town Hall, P.O. Box 327, Mannford, Okla. 74044	Sept. 17, 1976
Do	Sequoyah	Muldrow, town of	H 400167A 01 through H 400167A 03	Chairman, Town Council, Town Hall, Muldrow, Okla. 74048	Nov. 12, 1976
Do	Creek	Oilton, city of	H 400127 01	Mayer, City Hall, 163 South C. Ave., Oilton, Okla. 74062	Do
Do	Grant	Pond Creek, city of	H 400333 01	Mayer, City Hall, 163 South 2d, Pond Creek, Okla. 73766	Do
Do	Roger Mills	Reydon, town of	H 400322 01	Mayer, Town Hall, Reydon, Okla. 73660	Do
Do	Washita	Sentinel, city of	H 400142 01	President, City of Sentinel, City Hall, P.O. Box 33, Sentinel, Okla. 73664	Do
Do	Hughes	Stuart, town of	H 400339 01	Mayer, Town Hall, Stuart, Okla. 74570	Do
Oregon	Washington	Durham, city of	H 410233 01	Mayer, City Hall, Durham, Ore. 97223	Do
Pennsylvania	Lebanon	Cornwall, borough of	H 420263 01 through H 420263 03	Mayer, Box 201, Cornwall, Pa. 17016	Do
Do	Tioga	Covington, township of	H 421175A 01 through H 421175A 09	Supervisor, R.D. 1, Box 71, Covington, Pa. 16917	Aug. 30, 1974
Do	Cumberland	Mount Holly Springs, borough of	H 420055A 01	Borough Manager, Borough Hall, Mount Holly Springs, Pa. 17053	Sept. 17, 1976
Do	Montgomery	Skippack, township of	H 421149A 01 through H 421149A 07	Chairman, Box 164, Skippack, Pa. 19474	July 26, 1974
Do	Allegheny	Therburg, borough of	H 420077 01	Mayer, 1121 Cornell Rd., Pittsburgh, Pa. 15205	Sept. 17, 1976
Do	Washington	Washington, city of	H 420891 01 through H 420891 03	Mayer, 25 West Maiden St., Washington, Pa. 15391	Nov. 12, 1976
Do	Northumberland	Washington, township of	H 421945A 01 through H 421945A 06	Chairman, R.D., Denzlie, Pa. 17623	Do
Do	Dauphin	Wiconisco, township of	H 421630A 01 through H 421630A 03	Chairman of Supervisors, Municipal Bldg., Wiconisco, Pa. 17097	Nov. 1, 1974
South Carolina	York	Rock Hills, city of	H 450193A 01 through H 450193A 09	Mayer, P.O. Box 11705, Rock Hill, S.C. 29720	Sept. 17, 1976
South Dakota	Grant	Big Stone City, city of	H 450159 01 through H 450159 02	Mayer, City Hall, Big Stone City, S. Dak. 57216	Nov. 12, 1976
Do	Dewey	Eagle Butte, city of	H 450170 01	Mayer, City Hall, Eagle Butte, S. Dak. 57625	Do
Do	Sanborn	Letcher, town of	H 450123 01	Mayer, Town Hall, Letcher, S. Dak. 57639	Do
Do	Edmunds	Rescoe, town of	H 450123 01	Mayer, Town Hall, Rescoe, S. Dak. 57471	Do
Do	McCook	Spencer, town of	H 450140 01	Town President, Town Hall, Spencer, S. Dak. 57374	Do
Do	Dewey	Timber Lake, city of	H 450218 01	Mayer, City Hall, Timber Lake, S. Dak. 57658	Do
Do	Clay	Wakonda, town of	H 450232 01	Town President, Town Hall, Wakonda, S. Dak. 57073	Do
Tennessee	Bedford	Bell Buckle, town of	H 470007A 01	Mayer, P.O. Box 220, Bell Buckle, Tenn. 37020	June 14, 1974
Do	Hardeman	Bolivar, city of	H 470081 01 through H 470081 04	Mayer, 115 No. Washington, Bolivar, Tenn. 37008	Nov. 12, 1976
Do	Maury	Mount Pleasant, city of	H 470123A 01 through H 470123A 04	Mayer, P.O. Box 453, Mount Pleasant, Tenn. 38474	Feb. 15, 1974
Do	Morgan, Roane, and Anderson	Oliver Springs, city of	H 470003A 01 through H 470003A 03	Mayer, P.O. Box 583, Oliver Springs, Tenn. 37849	Sept. 17, 1976
Do	Lincoln	Petersburg, city of	H 470106A 01	Mayer, P.O. Box 7, Petersburg, Tenn. 37144	Mar. 22, 1974
Do	London	Philadelphia, city of	H 470276A 01 through H 470276A 03	Mayer, City Hall, Philadelphia, Tenn. 37836	Sept. 17, 1976
Do	Hancock	Sneedville, city of	H 470080A 01 through H 470080A 03	Mayer, City Hall, Sneedville, Tenn. 37830	Mar. 8, 1974
Do	Bedford	Wartrace, town of	H 470009B 01	Mayer, P.O. Box 125, Wartrace, Tenn. 37183	Sept. 17, 1976
					June 14, 1974
					Apr. 23, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Texas	Duval	Benavides, city of	H 480792 01	Mayor, City Hall, Drawer R, Benavides, Tex. 78341	Nov. 12, 1970
Do.	McLennan	Beverly Hills, village of	H 480925 01	Mayor, Village Hall, P.O. Box 1832, Waco, Tex. 76703	Do.
Do.	Smith and Cherokee	Bullard, city of	H 480568A 01	Mayor, City Hall, P.O. Box 107, Bullard, Tex. 75737	Do.
Do.	Lubbock	Idalou, town of	H 480916 01	Mayor, Town Hall, P.O. Box 1277, Idalou, Tex. 79329	Do.
Do.	Caldwell	Lockhart, city of	H 480935A 01	Mayor, City Hall, P.O. Box 239, Lockhart, Tex. 78644	Do.
Do.	Bosque	Morgan, village of	H 481123 01	Mayor, Village Hall, Hutchinson and Mary, Morgan, Tex. 76671	Do.
Do.	Coryell	Oglesby, city of	H 480769 01	Mayor, City Hall, Oglesby, Tex. 76561	Do.
Do.	Dickens	Spur, city of	H 480788 01	Mayor, City Council, Spur, Tex. 76370	Do.
Do.	Bell	Troy, city of	H 480702 01 through H 480709 02	Mayor, City Hall, Belton St., Troy, Tex. 76579	Do.
Do.	Haskell	Weinert, city of	II 480835 01	Mayor, City Hall, Weinert, Tex. 76388	Do.
Do.	Mitchell	Westbrook, city of	H 480938 01	Mayor, City Hall, Westbrook, Tex. 79363	Do.
Do.	Parker	Willow Park, city of	H 481164 01 through H 481164 02	Mayor, 100 Hilltop Court, L. V., Weatherford, Tex. 76086	Do.
Do.	Titus	Winfield, town of	H 481025 01	Mayor, Town Hall, Winfield, Tex. 75463	Do.
Do.	Collin	Wylie, city of	H 480759 01 through H 480759 06	Mayor, City Hall, P.O. Box 207, Wylie, Tex. 75098	Do.
Utah	Weber	Huntsville, town of	H 490188A 01	President of Town, Beard, Town Hall, Huntsville, Utah 84038	June 21, 1974
Do.	Rich	Laketown, town of	H 490009 01	Town President, Town Hall, Laketown, Utah 84038	Nov. 12, 1970
Do.	Wayne	Torrey, city of	II 490186 01	Town President, Town Hall, Torrey, Utah 84775	Do.
Vermont	Caledonia	Barnet, town of	H 500021A 01 through H 500021A 15	Planning Commission, Town Hall, Anderson St., Barnet, Vt. 05821	Feb. 22, 1974
Do.	Addison	Bristol, village of	H 500165A 01 through H 500165A 02	Village Manager, Bristol, Vt. 05413	Sept. 17, 1970
Do.	Rutland	Ira, town of	H 500260A 01 through H 500260A 03	Chairman, Ira Vermont Planning Board, Box 129, Rutland, Vt. 05602	Dec. 13, 1974
Do.	Orleans	Lowell, town of	H 500254A 01 through H 500254A 17	Treasurer, Town Hall, Lowell, Vt. 05447	Sept. 17, 1970
Do.	Lamoille	Morrisville, village of	H 500065A 01 through H 500065A 04	Trustee, Morrisville, Vt. 05661	Sept. 20, 1974
Do.	do	Waterville, town of	H 500233A 01 through H 500233A 10	Town Selectman, Town Hall, Waterville, Vt. 05492	Sept. 17, 1970
Virginia		Buena Vista, city of	H 510027 01 through H 510027 04	Mayor, City Hall, Buena Vista, Va. 24116	Dec. 20, 1971
Do.		Colonial Heights, city of	H 510033A 01 through H 510033A 05	Mayor, Municipal Building, Colonial Heights, Va. 23834	Sept. 17, 1970
Do.	Loudoun	Hillsboro, town of	H 510316A 01	Mayor, Box 25, Hillsboro, Va. 22132	Apr. 4, 1975
Do.	Mathews	Unincorporated areas	H 510066A 01 through H 510066A 11	County Administrator, Box 868, Mathews, Va. 23109	Sept. 17, 1970
Washington	Calallam	Forks, town of	H 530022 01 through H 530022 02	Mayor, Town Hall, P.O. Box 28, Forks, Wash. 98331	Nov. 12, 1970
Do.	Clark	La Center, town of	H 530248 01	Mayor, Town Hall, La Center, Wash. 98629	Do.
Wisconsin	Rusk	Weyerhaeuser, village of	H 550378 01	Village President, Village Hall, Weyerhaeuser, Wis. 54993	Do.
Wyoming	Platte	Guernsey, town of	H 560072 01	Mayor, P.O. Box 323, Guernsey, Wyo. 82214	Do.
Arkansas	Nevada	Bocaw, town of	H 050474 01 through H 050474 02	Mayor, Town Hall, P.O. Rosston, Bocaw, Ark. 71858	Nov. 19, 1970
Do.	Washington	Winslow, city of	H 050300 01	Mayor, City Hall, Winslow, Ark. 72939	Do.
California	Alameda	Albany, city of	H 060003 01 through H 060003 04	Mayor, City Hall, 1000 San Pablo Ave., Albany, Calif. 94706	Do.
Do.	Lake	Lakeport, city of	H 065038 01 through H 065038 04	Mayor, City Hall, 445 North Main St., Lakeport, Calif. 95453	Do.
Do.	Santa Clara	Los Altos, city of	H 060341A 01 through H 060341A 03	City Engineer, One North, San Antonio Rd., Los Altos, Calif. 94022	June 7, 1974
Do.	Contra Costa	Moraga, town of	H 060637 01 through H 060637 06	Mayor, Town Hall, Moraga, Calif. 94556	Sept. 24, 1970
Do.	Amador	Plymouth, city of	H 060455 01 through H 060455 02	Mayor, City Hall, Plymouth, Calif. 95669	Nov. 19, 1970
Connecticut	Fairfield	Monroe, town of	H 090002A 01 through H 090002A 11	Town Manager, Town Hall, 11 Fan Hill Rd., Monroe, Conn. 06468	Aug. 16, 1974
Florida	Brevard	Melbourne Village, town of	H 120329B 01 through H 120329B 02	Mayor, 635 Hammock Rd., Melbourne Village, Fla. 32901	Sept. 24, 1970
Georgia	Miller	Colquitt, city of	H 130135A 01 through H 130135A 04	Mayor, 154 East College St., Colquitt, Ga. 31737	July 23, 1970
Idaho	Canyon	Caldwell, city of	H 160036A 01 through H 160036A 05	Mayor, City Hall, 704 Blaine, Caldwell, Idaho 83605	Sept. 24, 1970
Illinois	Kane	Aurora, city of	H 170320A 01 through H 170320A 17	Mayor, 44 East Downer Place, Aurora, Ill. 60501	Nov. 19, 1970
Do.	Lake and Cook	Barrington, village of	H 170057A 01 through H 170057A 02	Village manager, 206 South Hough St., Barrington, Ill. 60015	June 11, 1971
Do.	St. Clair	Belleville, city of	H 170618A 01 through H 170618A 07	Mayor, 101 South Illinois St., Belleville, Ill. 62220	Sept. 24, 1970
Do.	Putnam	Hennepin, village of	H 170570 01 through H 170570 04	Village president, Village Hall, Hennepin, Ill. 61327	May 3, 1974
Do.	McHenry	McHenry, city of	H 170483A 01 through H 170483A 02	Mayor, 1111 North Green St., McHenry, Ill. 60050	Sept. 24, 1970
Do.	Rock Island	Milan, village of	H 170590A 01 through H 170590A 04	Village president, 321 West Second, Ave., Milan, Ill. 61264	Nov. 19, 1970
Do.	Rock Island	Moline, city of	H 170591A 01 through H 170591A 06	Mayor, 619-16th St., Moline, Ill. 61265	May 3, 1974
Do.	Richland	Olney, city of	H 170581C 01 through H 170581C 02	City manager, P.O. Box 369, Olney, Ill. 62450	Sept. 24, 1970
Do.	Cook	Western Springs, village of	H 170171B 01 through H 170171B 02	Village president, 740 Hillsgrove Ave., Western Springs, Ill. 60185	June 25, 1970

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Indiana	Madison	Alexandria, town of	II 180142A 01 through II 180142A 02	Mayer, 125 North Wayne St., Alexandria, Ind. 46001	Nov. 23, 1974
Do.	Elkhart	Bristol, town of	II 180063A 01 through II 180063A 02	President, Town Board, Town Hall, Bristol, Ind. 46700	Sept. 24, 1976
Do.	Madison	Chesterfield, town of	II 180151A 01 through II 180151A 02	President, Town Board, P.O. Box 25, Chesterfield, Ind. 45917	Nov. 23, 1976
Do.	Vermillion	Clinton, city of	II 180237A 01	Mayer, City Hall, 523 Vine St., Clinton, Ind. 47842	Sept. 24, 1976
Do.	Whitley	Columbia City, city of	II 180200A 01	Mayer, City Hall, Columbia City, Ind. 46723	Sept. 24, 1976
Do.	Hancock	Greenfield, town of	II 180084A 01 through II 180084A 03	Mayer, Town Hall, Greenfield, Ind. 46140	Nov. 23, 1976
Do.	Gibson	Hazleton, town of	II 180327A 01	President of board, City Hall, Hazleton, Ind. 57640	Sept. 24, 1976
Do.	Marion	Indianapolis, city of	II 180159A 01 through II 180159A 83	Mayer, 2301 City County Bldg., Indianapolis, Ind. 46204	May 17, 1974
Do.	Spencer	Rockport, city of	II 180233A 01	Mayer, Box 151, Rockport, Ind. 47635	Sept. 24, 1976
Do.	St. Joseph	South Bend, city of	II 180231A 01 through II 180231A 19	Mayer, Room 1400, City Hall, South Bend, Ind.	Aug. 16, 1974
Do.	Fountain	Veedsburg, town of	II 180067A 01	President, Town board, 510 North Walnut St., Veedsburg, Ind. 47287	Sept. 24, 1976
Do.	Knox	Vincennes, city of	II 180120A 01 through II 180120A 01	Mayer, City Hall, Vincennes, Ind. 47791	June 21, 1974
Iowa	Hancock	Crystal Lake, city of	II 190724 01	Mayer, P.O. Box 68, Crystal Lake, Iowa 50432	Nov. 19, 1976
Do.	Montgomery	Grant, city of	II 190466 01 through II 190466 02	Mayer, City Hall, Grant, Iowa 50847	Do.
Do.	Keokuk	Harper, city of	II 190741 01	Mayer, City Hall, Harper, Iowa 52231	Do.
Do.	Story	Kelley, city of	II 190748 01	Mayer, City Hall, Kelley, Iowa 50134	Do.
Do.	Jackson	Miles, city of	II 190779 01 through II 190779 02	Mayer, City Hall, Miles, Iowa 52064	Do.
Do.	Buena Vista	Newell, city of	II 190334 01	Mayer, City Hall, Newell, Iowa 50203	Do.
Do.	Winneshiek	Ossian, city of	II 190533 01	Mayer, City Hall, Ossian, Iowa 52161	Do.
Do.	Johnson	Shueyville, city of	II 190532 01 through II 190532 02	Mayer, City Hall, Shueyville, Iowa 52151	Do.
Do.	Muscatine	Stockton, city of	II 190163 01	Mayer, City Hall, Stockton, Iowa 52709	Do.
Do.	Benton	Urbana, city of	II 190672 01	Mayer, City Hall, Urbana, Iowa 52345	Do.
Kansas	Norton	Lenora, city of	II 200247 01	Mayer, City Hall, P.O. Box 263, Lenora, Kans. 67645	Do.
Kentucky	Hickman	Clinton, city of	II 210111A 01 through II 210111A 02	Mayer, P.O. Box 163, Clinton, Ky. 42331	May 17, 1974
Louisiana	Lincoln Parish	Grambling, village of	II 220323 01	Mayer, Village Hall, Grambling, La. 71245	Nov. 19, 1976
Do.	Avoyelles Parish	Hessmer, village of	II 220214 01	Mayer, Village Hall, Hessmer, La. 71341	Do.
Maine	Kennebec	Benton, town of	II 230233A 01 through II 230233A 12	First Selectman, Town Hall, Route 1, P.O. Box 56, Clinton, Maine 04227	Jan. 24, 1975
Do.	Somerset	Bingham, town of	II 230124A 01 through II 230124A 12	Chairman planning board, Town Hall, Bingham, Maine 04920	Sept. 24, 1976
Do.	Cumberland	Bridgton, town of	II 230414A 01 through II 230414A 23	Town manager, Town Hall, Bridgton, Maine 04009	Nov. 22, 1974
Do.	Penobscot	Bradley, town of	II 230103A 01 through II 230103A 17	Selectman, Town Hall, Bradley, Maine 04411	Sept. 24, 1976
Do.	Waldo	Burnham, town of	II 230129A 01 through II 230129A 17	Chairman, Town Office, Burnham, Maine 04922	Sept. 24, 1976
Do.	Hancock	Franklin, town of	II 230232A 01 through II 230232A 14	First Selectman, Town Hall, Franklin, Maine 04634	Feb. 28, 1975
Do.	York	Kittery, town of	II 230171A 01 through II 230171A 11	Town manager, P.O. Box 333, Kittery, Maine 03904	Nov. 1, 1974
Do.	Penobscot	Lee, town of	II 230334A 01 through II 230334A 12	First Selectman, Town Hall, Lee, Maine 04435	Sept. 24, 1976
Do.	Washington	Marshfield, town of	II 230316A 01 through II 230316A 09	First Selectman, R.F.D. No. 1, Marshfield, Maine 04654	Oct. 20, 1974
Do.	Somerset	Mercer, town of	II 230176A 01 through II 230176A 11	Selectman, R.F.D. No. 2, Norridgewock, Maine 04857	Jan. 31, 1975
Do.	Somerset	Smithfield, town of	II 230370A 01 through II 230370A 12	Chairman, planning board, R.F.D. No. 2, Box 165	Sept. 24, 1976
Do.	Waldo	Unity, town of	II 230131A 01 through II 230131A 14	First Selectman, Town Office, Unity, Maine 04933	Aug. 16, 1974
Do.	Aroostook	Van Buren, town of	II 230063A 01 through II 230063A 12	Town Manager, 65 Main St., Van Buren, Maine 04785	Sept. 24, 1976
Maryland	Prince Georges	Laurel, city of	II 240033B 01 through II 240033B 63	Mayer, Office of the Mayor, Laurel, Md. 20610	Dec. 19, 1975
Massachusetts	Plymouth	Bridgewater, town of	II 230250A 01 through II 230250A 12	Selectman, Town Hall, 61 Central Square, Bridgewater, Mass. 02324	July 19, 1974
Do.	Middlesex	Medford, city of	II 230205A 01 through II 230205A 01	Medford Planning Commission, Medford City Hall, Medford, Mass. 02155	Sept. 24, 1976
Do.	Hampden	Wales, town of	II 230122A 01 through II 230122A 01	Selectman, Town Hall, Hollow Rd., Wales, Mass. 01681	Nov. 19, 1976
Michigan	Delta	Bark River, township of	II 250355 01 through II 250355 12	Supervisor, Route 2, Box 110, Bark River, Mich. 48307	Do.
Do.	Jackson	Jackson, city of	II 250273A 01 through II 250273A 04	Mayer, 132 West Washington, Jackson, Mich. 49201	June 7, 1974
Do.	Berrien	New Buffalo, township of	II 250039A 01 through II 250039A 03	Supervisor, P.O. Box 160, New Buffalo, Mich. 49117	Sept. 24, 1976
Do.	Eaton	Olivet, city of	II 250062A 01 through II 250062A 01	Mayer, 106 South Main St., Olivet, Mich. 49756	July 26, 1974
Do.	Emmett	Petoskey, city of	II 250072A 01 through II 250072A 02	Mayer, 200 Division St., Petoskey, Mich. 49770	May 17, 1974
Do.	Clare	Redding, township of	II 250532 01 through II 250532 12	Supervisor, Robert Drive, Temple Park, Harrison, Mich. 48625	Sept. 24, 1976
Do.	St. Clair	St. Clair, township of	II 250235A 01 through II 250235A 11	Supervisor, 1509 South Bartlett Rd., St. Clair, Mich. 48970	Sept. 20, 1974
Minnesota	Faribault	Elmore, city of	II 270104 01	Mayer, City Hall, Elmore, Minn. 56027	Sept. 24, 1976
Do.	Hennepin	Maple Grove, city of	II 270103A 01 through II 270103A 12	Mayer, 14310-33 Ave., Maple Grove, Minn. 55069	May 14, 1974
Do.	Washington	Newport, city of	II 270310A 01 through II 270310A 02	Mayer, City Hall, 600-7th Ave., Newport, Minn. 56055	Mar. 22, 1974
Do.	Swift	Unincorporated areas	II 270533 01 through II 270533 54	Chairman, County Commissioner, Courthouse, Benson, Minn. 56216	Sept. 24, 1976

State	County	Location	Map No.	Local map repository	Effectively date of identification of areas which have special flood hazards
Mississippi	Chickasaw	Okolona, city of	II 280031A 01 through II 280031A 02	Mayor, P.O. Box 111, Okolona, Miss. 38860	June 21, 1971
Missouri	Jackson	Lake Lotawana, city of	II 290697 01 through II 290697 02	Mayor, City Hall, Lake Lotawana, Mo. 64063	Sept. 21, 1970 Nov. 19, 1970
Do	Jackson	Lake Tapawingo, city of	II 290599 01	Mayor, City Hall, Box 135, Blue Springs, Mo. 64015	Do
Nebraska	Nuckolls	Hardy, village of	II 310283 01	Chairman, Village Hall, Hardy, Nebr. 68943	Do
Do	Red Willow	McCook, city of	II 310181 01 through II 310181 02	Mayor, City Hall, McCook, Nebr. 69601	Do
Do	Saline	Western, village of	II 310333 01	Chairman, Village Hall, Western, Nebr. 68461	Do
New Hampshire	Hillsborough	Bennington, town of	II 330034A 01 through II 330034A 06	Chairman Selectman, Town Hall, Bennington, N.H. 03442	Mar. 8, 1971
Do	Merrimack	Bow, town of	II 330107A 01 through II 330107A 12	Town Engineer and Building Inspector, 10 Grandview Rd., Bow, N.H. 03301	Sept. 21, 1970
Do	Grafton	Haverhill, town of	II 330057A 01 through II 330057A 18	Chairman, Town Hall, Haverhill, N.H. 03765	May 3, 1971
New Jersey	Gloucester	Elk, township of	II 340201A 01 through II 340201A 03	Mayor, Rural Delivery 1, Box 317, Glassboro, N.J. 08028	Mar. 8, 1971
Do	Atlantic	Hammonton, town of	II 340010A 01 through II 340010A 10	Mayor, Central Ave., Hammonton, N.J. 08037	Sept. 21, 1970
Do	Bergen	Harrington Park, borough of	II 340040A 01 through II 340040A 02	Mayor, 85 Harriot Ave., Harrington Park, N.J. 07640	May 31, 1971
Do	do	Hillsdale, borough of	II 340043A 01 through II 340043A 03	Mayor, 380 Hillsdale Ave., Hillsdale, N.J. 07642	Sept. 21, 1970
Do	Essex	Millburn, township of	II 340187A 01 through II 340187A 03	Mayor, Town Hall, 375 Millburn Ave., Millburn, N.J. 07041	Jan. 10, 1971
Do	do	Newark, city of	II 340189A 01 through II 340189A 03	Mayor, 920 Broad St., Newark, N.J. 07102	Sept. 21, 1970
Do	Middlesex	South Brunswick, township of	II 340278A 01 through II 340278A 11	Mayor, Kingston Lane, Monmouth Junction, N.J. 08852	Mar. 15, 1971
Do	Mercer	West Windsor, township of	II 340256A 01 through II 340256A 03	Mayor, P.O. Box 38, Princeton Junction, West Windsor, N.J. 08550	Sept. 24, 1970
Do	Bergen	Woodcliff Lake, borough of	II 340032A 01 through II 340032A 06	Mayor, 188 Pascaek Rd., Woodcliff Lake, N.J. 07615	Jan. 10, 1971
New York	Jefferson	Antwerp, village of	II 361554C 01 through II 361554C 02	Mayor, Van Buren, Antwerp, N.Y. 13608	Sept. 21, 1970
Do	Washington	Argyle, town of	II 361222A 01 through II 361222A 17	Supervisor, Town Hall, Argyle, N.Y. 12809	Oct. 18, 1971
Do	Delaware	Bovina, town of	II 360190A 01 through II 360190A 04	Supervisor, Town Hall, Bovina Center, N.Y. 13710	Sept. 21, 1970
Do	Chautauqua	Cassadaga, village of	II 361033A 01	Mayor, Village Hall, Cassadaga, N.Y. 14718	June 28, 1971
Do	Madison	Eaton, town of	II 360398A 01 through II 360398A 12	Supervisor, Town Hall, Morri ville, N.Y. 13103	May 31, 1971
Do	do	Lenox, town of	II 360404A 01 through II 360404A 01	Supervisor, P.O. Box 129, Canastota, N.Y. 13032	Sept. 21, 1970
Do	Suffolk	Lloyd Harbor, village of	II 360799A 01 through II 360799A 04	Mayor, 32 Middle Hollow Rd., Huntington, N.Y. 11713	May 10, 1971
Do	Wayne	Lyons, village of	II 360891A 01 through II 360891A 02	Mayor, 76 William St., Lyons, N.Y. 14180	Sept. 21, 1970
Do	St. Lawrence	Madrid, town of	II 361181A 01 through II 361181A 14	Town Supervisor, 70 State St., Madrid, N.Y. 13660	May 3, 1971
Do	Onondaga	North Syracuse, village of	II 360587A 01	Mayor, Municipal Building, 600 South Bay Rd., North Syracuse, N.Y. 13212	Sept. 21, 1970
Do	Chenango	Oxford, town of	II 361304A 01 through II 361304A 07	Supervisor, Town Board, Oxford, N.Y. 13830	June 7, 1971
Do	Yates	Penn Yan, village of	II 360962A 01 through II 360962A 02	Mayor, Village Hall, Penn Yan, N.Y. 14527	Dec. 20, 1971
Do	Monroe	Perinton, town of	II 360428A 01 through II 360428A 11	Supervisor, 31 South Main St., Fairport, N.Y. 14450	Sept. 21, 1970
Do	Ulster	Shandaken, town of	II 360864A 01 through II 360864A 03	Supervisor, Town Hall, Shandaken, N.Y. 12180	Apr. 5, 1971
Do	Wyoming	Sheldon, town of	II 360949A 01 through II 360949A 03	Town Supervisor, 3288 Route 77, Varysburg, N.Y. 14167	Sept. 21, 1970
Do	Suffolk	Smithtown, town of	II 360810A 01 through II 360810A 15	Supervisor, 99 West Main Street, Smithtown, N.Y. 11787	May 31, 1971
Do	Cattaraugus	South Valley, town of	II 360100A 01 through II 360100A 14	Supervisor, Rural Delivery 1, Frewsburg, N.Y. 14738	Sept. 21, 1970
Do	Westchester	Tarrytown, village of	II 360933A 01 through II 360933A 02	Mayor, 21 Wildey St., Tarrytown, N.Y. 10591	May 31, 1971
Do	Jefferson	Theresa, town of	II 360352B 01 through II 360352B 09	Mayor, 307 Mill St., Theresa, N.Y. 13691	Sept. 21, 1970
Do	Lewis	Turin, village of	II 361355A 01	Mayor, Village Hall, Turin, N.Y. 13473	Jan. 30, 1970
Do	Orange	Wawayanda, town of	II 360639A 01 through II 360639A 03	Supervisor, Town Hall, Slate Hill, N.Y. 10973	Aug. 10, 1971
Do	Saratoga	Wilton, town of	II 360736A 01 through II 360736A 16	Supervisor, Rural Delivery 2, Traver Road, Wilton, N.Y. 12831	Sept. 21, 1970
North Carolina	Robeson	Fairmont, town of	II 370205A 01	Mayor, P.O. Box 248, Fairmont, N.C. 28340	Nov. 29, 1971
Do	Craven	Havelock, city of	II 370265A 01 through II 370265A 02	Mayor, City Hall, P.O. Drawer 368, Havelock, N.C. 28532	Sept. 21, 1970
Ohio	Logan	Belle Center, village of	II 390339 01	Mayor, Village Hall, Belle Center, Ohio 43310	Sept. 13, 1971
Do	Darke	Unincorporated areas	II 390137A 01 through II 390137A 36	Chairman, County Commissioners, Broadway and Fourth St., Greenville, Ohio	Nov. 19, 1970
Do	Cuyahoga	Strongsville, city of	II 390132A 01 through II 390132A 06	Mayor, 18688 Royalton Rd., Strongsville, Ohio 44136	Dec. 20, 1971
Do	Fayette	Washington, city of	II 390166A 01 through II 390166A 03	City Manager, 208 North Fayette St., Washington, Ohio 43160	Sept. 21, 1970
Oklahoma	Delaware	Colcord, town of	II 400281 01 through II 400281 02	President, Town Hall, Main St., Colcord, Okla. 74333	Nov. 23, 1971
Do	Creek	Depew, town of	II 400363 01	Town Clerk, Town Hall, Depew, Okla. 74023	Nov. 10, 1970
Do	McClain	Goldsby, town of	II 400102 01 through II 400102 03	Mayor, Town Hall, Route 1, Washington, Okla. 73093	Nov. 19, 1970
Do	Harmon	Hollis, city of	II 400093B 01	City Attorney, Fancher & Moore, Attorneys at Law, 119 North Second St., Hollis, Okla. 73550	June 23, 1971

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Pennsylvania	Clinton	Beech Creek, borough of	H 420632A 01 through H 420632A 02	Mayer, 36 Beverly Drive, Beech Creek, Pa. 16822	May 10, 1974
	Do	Westmoreland	H 420633A 01 through H 420633A 02	Chairman, Box D, Saline, Pa. 15589	Sept. 24, 1974
	Do	Northampton	H 420634A 01 through H 420634A 02	President, 2749 Fifth St., Bethlehem, Pa. 18017	Sept. 24, 1974
	Do	Butler	H 420635A 01 through H 420635A 02	President, Six Chesapeake, Lyndora, Pa. 16945	Sept. 24, 1974
	Do	Lehigh	H 420636A 01 through H 420636A 02	Mayer, No. 5 North Main St., Cooperburg, Pa. 18026	Nov. 12, 1974
	Do	Perry	H 420637A 01 through H 420637A 02	Mayer, P.O. Box 9, Duncansville, Pa. 16829	July 20, 1973
	Do	Cambria	H 420638A 01 through H 420638A 02	Mayer, First St., Ehrnfeldd, Pa. 16833	Sept. 24, 1974
	Do	Schuylkill	H 420639A 01 through H 420639A 02	Mayer, P.O. Box 418, Gilberton, Pa. 17331	Aug. 6, 1974
	Do	Centre	H 420640A 01 through H 420640A 02	Chairman, Box 9, Woodward, Pa. 16352	Sept. 24, 1974
	Do	Franklin	H 420641A 01 through H 420641A 02	Chairman, 291 Highland Dr., Chambersburg, Pa. 17201	Sept. 24, 1974
	Do	Lycoming	H 420642A 01 through H 420642A 02	Chairman, Rural Delivery 1, Cogan Station, Pa. 17723	May 19, 1974
	Do	Centre	H 420643A 01 through H 420643A 02	Chairman, Rural Delivery 1, Julian, Pa. 16344	Sept. 24, 1974
	Do	Perry	H 420644A 01 through H 420644A 02	Township Chairman, Rural Delivery 3, Newport, Pa. 15764	Aug. 6, 1974
	Do	Luzerne	H 420645A 01 through H 420645A 02	Mayer, 41 Loflin Rd., Walker, Barry, Pa. 15762	Sept. 24, 1974
	Do	Tioga	H 420646A 01 through H 420646A 02	President of Council, Borough Hall, Lawrenceville, Pa. 16823	Sept. 14, 1973
	Do	Carbon	H 420647A 01 through H 420647A 02	Chairman, Rural Delivery 2, Weatherly, Pa. 18253	Aug. 6, 1974
	Do	Northumberland	H 420648A 01 through H 420648A 02	Chairman, Rural Delivery 1, Shamokin, Pa. 17872	Sept. 24, 1974
	Do	Cambria	H 420649A 01 through H 420649A 02	Mayer, 230 Loran St., Johnstown, Pa. 15102	Nov. 12, 1974
	Do	Montour	H 420650A 01 through H 420650A 02	Chairman, 1333 Biron St., Danville, Pa. 17821	Sept. 24, 1974
	Do	Allegheny	H 420651A 01 through H 420651A 02	Chairman, Box 21, Waverly, Pa. 15666	Sept. 24, 1974
	Do	Bradford	H 420652A 01 through H 420652A 02	Chairman, Township Supervisor, Rural Delivery 4, Tomahawk, Pa. 15478	Sept. 24, 1974
	Do	Erie	H 420653A 01 through H 420653A 02	Chairman, Township Supervisor, 8347 Gulf Road, Rural Delivery 2, North East, Pa. 16423	Sept. 24, 1974
	Do	Berks	H 420654A 01 through H 420654A 02	Chairman, Rural Delivery 1, Beltsville, Pa. 16331	Sept. 13, 1974
	Do	Westmoreland	H 420655A 01 through H 420655A 02	Township President, Town House, 1123 Center Highway, North Huntingdon, Pa. 15042	Sept. 14, 1973
	Do	Luzerne	H 420656A 01 through H 420656A 02	President, Township Committee, 120 North Main, Municipal Building, Plains, Pa. 15763	July 20, 1973
	Do	Allegheny	H 420657A 01 through H 420657A 02	Mayer, P.O. 10761, Pleasant Hills, Pa. 15226	Nov. 12, 1974
	Do	Armstrong	H 420658A 01 through H 420658A 02	Mayer, Hamilton St., South Bethlehem, Pa. 16212	June 25, 1974
	Do	Northumberland	H 420659A 01 through H 420659A 02	Mayer, 225 Market St., Sunbury, Pa. 17159	July 27, 1973
	Do	Bradford	H 420660A 01 through H 420660A 02	Mayer, Rural Delivery 3, Box 12, Troy, Pa. 16087	June 7, 1974
	Do	Montgomery	H 420661A 01 through H 420661A 02	President, 157 Snyder Rd., Pottstown, Pa. 19121	Oct. 25, 1974
	Do	Chester	H 420662A 01 through H 420662A 02	Chairman, Box 23, Uwchlan, Pa. 19380	Sept. 24, 1974
	Do	Beaver	H 420663A 01 through H 420663A 02	President of Commission, 477 State St., Vancourt, Pa. 15069	Mar. 22, 1974
	Do	Crawford	H 420664A 01 through H 420664A 02	Chairman, 31 Jackson Ave., Marietta, Pa. 16035	Oct. 15, 1974
	Do	Northampton	H 420665A 01 through H 420665A 02	Supervisor, Box 169, Ackermanville, Pa. 15910	Nov. 1, 1974
	Do	Indiana	H 420666A 01 through H 420666A 02	Chairman, Supervisor, Rural Delivery 2, Box 233A, New Elmer, Pa. 16244	Nov. 14, 1974
South Carolina	Greenville	Unincorporated areas	H 420667A 01 through H 420667A 02	County Executive, Courthouse Annex, Greenville, S.C. 29601	Nov. 14, 1974
	Do	Berkeley	H 420668A 01 through H 420668A 02	Mayer, P.O. Box 625, Hephzibah, S.C. 29119	June 28, 1974
	Do	Lancaster	H 420669A 01 through H 420669A 02	Mayer, P.O. Box 129, Lancaster, S.C. 29720	May 24, 1974
South Dakota	Minnehaha	Brandon, city of	H 420670A 01 through H 420670A 02	Mayer, City Hall, P.O. Box 24, Brandon, S. Dak. 57603	Nov. 14, 1974
	Do	McCook	H 420671A 01 through H 420671A 02	Mayer, City Hall, Bridgewater, S. Dak. 57310	Nov. 14, 1974
Tennessee	Jackson	Galesburg, town of	H 420672A 01 through H 420672A 02	Mayer, P.O. Box 622, Galesburg, Tenn. 37622	June 24, 1974
	Do	Carroll	H 420673A 01 through H 420673A 02	Mayer, P.O. Box 633, Huntington, Tenn. 38344	Feb. 22, 1974
	Do	DeKalb	H 420674A 01 through H 420674A 02	Mayer, 199 Public Square, Smithville, Tenn. 37166	May 31, 1974
	Do	DeKalb	H 420675A 01 through H 420675A 02	Mayer, City Hall, P.O. Box 817, Bellville, Tex. 77418	Nov. 12, 1974
Texas	Do	Robertson	H 420676A 01 through H 420676A 02	Mayer, City Hall, Brantford, Tex. 76022	Do
	Do	Taylor	H 420677A 01 through H 420677A 02	Mayer, Town Hall, P.O. Box 669, Buffalo Gap, Tex. 76008	Do
	Do	El Paso	H 420678A 01 through H 420678A 02	Mayer, City Hall, Clint, Tex. 75321	Do
	Do	Panola	H 420679A 01 through H 420679A 02	Mayer, Town Hall, Gary, Tex. 75323	Do
	Do	Dallas and Ellis	H 420680A 01 through H 420680A 02	Mayer, City Hall, Box 419A, De Soto, Tex. 75116	Do
	Do	Polk	H 420681A 01 through H 420681A 02	Mayer, Town Hall, Oak Irish, Tex. 75335	Do
	Do	Houston	H 420682A 01 through H 420682A 02	Mayer, Town Hall, P.O. Box 167, Grapeland, Tex. 75344	Do
	Do	Jones	H 420683A 01 through H 420683A 02	Mayer, Town Hall, Hawley, Tex. 75345	Do
	Do	Kaufman and Rockwall	H 420684A 01 through H 420684A 02	Mayer, City Hall, Route 1, Rockwall, Tex. 75087	Do
	Do	Tarrant	H 420685A 01 through H 420685A 02	Mayer, City Hall, P.O. Drawer N, Keller, Tex. 75248	Do
	Do	McLennan	H 420686A 01 through H 420686A 02	Mayer, City Hall, 101 East Craven St., Lacy-Lakeview, Tex. 76785	Do
	Do	Do	Do	Do	Do
	Do	Do	Do	Do	Do
	Do	Do	Do	Do	Do
	Do	Do	Do	Do	Do

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Tarrant	Lake Worth, city of	H 430605 01 through H 430605 04	Mayor, City Hall, 6720 Telephone Rd., Fort Worth, Tex. 76134	Do.
Do.	Leon	Leona, town of	H 430907 01 through H 430907 02	Mayor, Town Hall, Leona, Tex. 73350	Do.
Do.	Cherokee	New Summerfield, city of	H 431153 01	Mayor, City Hall, New Summerfield, Tex. 75780	Do.
Do.	Walker	Riverside, town of	H 431044 01	Mayor, Town Hall, Riverside, Tex. 77367	Do.
Do.	Tarrant	Saginaw, city of	H 430610A 01 through H 430610A 05	Mayor, 404 S. Saginaw Blvd. City, Hall, Saginaw, Tex. 76709	Mar. 8, 1974
Vermont	Addison	Addison, town of	H 500163A 01 through H 500163 15	Chairman, Board of Selectmen, Route 3, Bergernes, Vt. 05491	Sept. 21, 1975
Do.	Addison	Bristol, town of	H 500001A 01 through H 500001A 14	Town Manager, Town hall, Bristol, Vt. 05413	Nov. 22, 1974
Do.	Bennington	Dorset, town of	H 500014A 01 through H 500014A 12	Town Manager, Municipal Office, East Dorset, Vt. 05253	Sept. 21, 1976
Do.	Orleans	Greensboro, town of	H 500035A 01 through H 500035A 12	Chairman, Board of Selectman, Town Hall, Greensboro, Vt. 05341	Aug. 9, 1974
Do.	Washington	Moretown, town of	H 500116 01 through H 500116A 12	Chairman, R.F.D., Moretown, Vt. 05000	Sept. 21, 1976
Do.	Washington	Northfield, town of	H 500118A 01 through H 500118A 17	Town Manager, Town Hall, Northfield, Vt. 05663	July 20, 1974
Do.	Windsor	Rochester, town of	H 500299A 01 through H 500299A 23	Town Manager, Town Hall, Northfield, Vt. 05663	Sept. 21, 1976
Do.	Rutland	Rutland, town of	H 500267A 01 through H 500267A 08	Chairman, P.O. Box 193, Rochester, Vt. 05767	Dec. 20, 1974
Do.	Caledonia	Sutton, town of	H 500198A 01 through H 500198A 15	Selectman, c/o Richard Del Bianco, Town Clerk, P.O. Box 6, Center Rutland, Vt. 05738	Sept. 21, 1976
Do.	Orange	Williamstown, town of	H 500080A 01 through H 500080A 12	Chairman, Town Hall, Sutton, Vt. 05367	Feb. 7, 1975
Virginia	Charlotte	Phenix, town of	H 510302A 01 through H 510302A 03	Chairman, R.F.D. No. 1, Williamstown, Vt. 05679	Sept. 21, 1976
Do.	York	Poquoson, town of	H 510183A 01 through H 510183A 11	Mayor, P.O. Box 86, Phenix, Va. 23959	Nov. 15, 1974
Washington	Lewis	Chehalis, city of	H 530104A 01 through H 530104A 10	Mayor, Municipal Bldg., Poquoson, Va. 23062	Sept. 21, 1976
Do.	Whitman	Farmington, town of	H 530295 01	Mayor, City Hall, P.O. Box 871, Chehalis, Wash. 98532	June 7, 1974
Do.	Franklin	Mesa, town of	H 530252 01 through H 530252 04	Mayor, Town Hall, Farmington, Wash. 99123	Sept. 21, 1976
Do.	Skamania	North Bonneville, town of	H 530256 01 through H 530256 04	Mayor, Town Hall, P.O. Box 146, Mesa, Wash. 99313	Do.
Do.	Pierce	South Prairie, town of	H 530145 01	Planning Director, Town Hall, P.O. Box 333, North Bonneville, Wash. 98639	Do.
West Virginia	Mingo	Williamson, city of	H 540138A 01 through H 540138A 03	Mayor, Town Hall, P.O. Box F, South Prairie, Wash. 98333	May 31, 1974
Wisconsin	Dodge	Beaver Dam, city of	H 550095B 01 through H 550095B 02	Mayor, Box 1517, Williamson, W. Va. 25661	Sept. 21, 1976
Do.	Eau Claire	Eau Claire, city of	H 550128A 01 through H 550128A 05	Mayor, City Hall, Beaver Dam, Wis. 53916	Oct. 10, 1973
Do.	do.	Fall Creek, village of	H 550130A 01	President, City Council, City Hall, Eau Claire, Wis. 54701	Dec. 17, 1973
Do.	Trempealeau	Independence, city of	H 550444A 01	Village President, Village Hall, Falls Creek, Wis. 54742	Sept. 21, 1976
Do.	Shawano	Mattoon, village of	H 550419A 01	Mayor, City Hall, Independence, Wis. 54747	Dec. 1, 1973
Do.	Washburn	Shell Lake, city of	H 550469 01 through H 550469 04	President, Village Hall, Mattoon, Wis. 54410	Aug. 30, 1974
Do.	Racine	Wind Point, village of	H 550355A 01	Mayor, Box 332, Shell Lake, Wis. 54871	July 7, 1974
Alabama	Morgan	Flint City, city of	H 010354 01 through H 010354 02	Village President, 5120 Hunt, Club Road, Racine, Wis. 53102	June 23, 1974
Do.	Baldwin	Foley, city of	H 010007A 01 through H 010007A 02	Mayor, Route 4, Box 150, Decatur, Ala. 35601	Sept. 21, 1976
Do.	Russell	Phenix City, city of	H 010184 01 through H 010184 07	Mayor, P.O. Box 490, Foley, Ala. 36535	Do.
Arizona	Cochise	Willcox, city of	H 040018A 01 through H 040018A 03	Mayor, P.O. Box 1207, Phenix City, Ala. 36367	Do.
Arkansas	Prairie	Biscoe, town of	H 050415 01 through H 050415 03	Mayor, 151 West-Maley, City Hall, Willcox, Ariz. 85643	May 24, 1974
Do.	Crawford	Mulberry, city of	H 050354 01 through H 050354 03	Mayor, Town Hall, Biscoe, Ark. 72017	Nov. 20, 1970
California	Orange	Fountain Valley, city of	H 060218B 01 through H 060218B 03	Mayor, City Hall, Mulberry, Ark. 72947	Do.
Colorado	Adams	Thornton, city of	H 030007A 01 through H 030007A 03	City Engineer, City Hall, 10200 Slater Ave., Fountain Valley, Calif. 92708	Mar. 23, 1974
Connecticut	Litchfield	Warren, town of	H 030175A 01 through H 030175A 12	Mayor, City Hall, 9471 Dorothy Blvd., Thornton, Colo. 80229	May 23, 1970
Florida	Brevard	Melbourne, city of	H 120025A 01 through H 120025A 12	1st Selectman, Route 341, New Preston, Conn. 06777	Nov. 1, 1974
Illinois	Rock Island	Cordova, village of	H 170356B 01	Mayor, 900 East Strawbridge Ave., Melbourne, Fla. 32901	Oct. 1, 1970
Do.	Macon	Decatur, city of	H 170429B 01 through H 170429B 17	Village Pres., 906 Main Ave., Cordova, Ill. 61212	Aug. 30, 1974
Do.	Madison	Unincorporated areas	H 170436A 01 through H 170436A 47	Mayor 707 East Wood St., Decatur, Ill. 62523	Oct. 1, 1974
Do.	Cook	Oak Lawn, village of	H 170137A 01 through H 170137A 03	County Chairman, Courthouse, Edwardsville, Ill. 62025	May 21, 1974
Do.	DuPage	West Chicago, city of	H 170219A 01 through H 170219A 05	Mayor, 5252 West James St., Oak Lawn, Ill. 60453	Oct. 1, 1970
Indiana	Dubois	Huntingburg, city of	H 180362B 01	Mayor, 175 Main St., P.O. Box 447, West Chicago, Ill. 60185	Apr. 12, 1971
Kansas	Osborne	Downs, city of	H 200490 01	Mayor, 511 4th St., Huntingburg, Ind. 47542	Oct. 1, 1970
Kentucky	Floyd	Prestonburg, city of	H 210072B 01 through H 210072B 02	Mayor, City Hall, Downs, Kans. 67437	Mar. 6, 1975
Louisiana	W. Carroll Parish	Forest, village of	H 220286 01 through H 220286 02	Mayor, City Hall, Prestonburg, Ky. 41653	Mar. 28, 1976
Do.	St. Tammany Parish	Mandeville, town of	H 220202A 01 through H 220202A 03	Mayor, Village Hall, Forest, La. 71212	Oct. 1, 1970
Maine	Waldo	Searsmont, town of	H 230265A 01 through H 230265A 15	City Engineer, 350 North Carsway, Mandeville, La. 70019	June 23, 1974
				Chairman Board of Selectmen, Town Hall, Searsmont, -Maine 09473	Oct. 1, 1970

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Hancock	Verona, town of	H 23030 01 through H 23030 04	Selectman, Town Hall, Verona, Maine 04410	Nov. 22, 1976
Do	Oxford	West Paris, town of	H 23030 01 through H 23030 09	Selectman, Town Hall, West Paris, Maine 04282	July 28, 1974 Oct. 1, 1976
Massachusetts	Bristol	Berkley, town of	H 23030 01 through H 23030 03	Selectman, Town Hall, Rural Route 1, Berkley, Mass. 02220	July 28, 1974 Oct. 1, 1976
Do	Essex	Hamilton, town of	H 23030 01 through H 23030 08	Selectman, Town Hall, 693 Bay Rd., Hamilton, Mass. 01031	Nov. 22, 1976
Do	Worcester	West Brookfield, town of	H 23030 01 through H 23030 09	Selectman, Town Hall, Main St., West Brookfield, Mass. 01581	July 28, 1974 Oct. 1, 1976
Do	Middlesex	Weston, town of	H 23030 01 through H 23030 10	Executive Secretary, Town Hall, P.O. Box 273, Weston, Mass. 02153	July 28, 1974 Oct. 1, 1976
Do	Norfolk	Weymouth, town of	H 23030 01 through H 23030 12	Selectman, Town Hall, 75 Middle St., Weymouth, Mass. 02153	June 14, 1974 Oct. 1, 1976
Michigan	Genesee	Atlas, township of	H 23030 01 through H 23030 11	Supervisor, 8233 So. State Road, Goodrich, Mich. 49438	Nov. 22, 1976
Do	Oceana	Claybanks, township of	H 23030 01 through H 23030 03	Supervisor, Route 1, New Era, Mich. 49822	Do.
Do	Manistee	Eller, township of	H 23030 01 through H 23030 07	Supervisor, 1311 25th St., Manistee, Mich. 49829	Do.
Do	Lenawee	Clinton, village of	H 23030 01 through H 23030 02	Mayer, 117 East Michigan Ave., Clinton, Mich. 48826	Apr. 15, 1975 Oct. 1, 1976
Do	Washtenaw	Dexter, township of	H 23030 01 through H 23030 12	Supervisor, 6390 Dexter Freeway Rd., Dexter, Mich. 48130	July 15, 1975 Oct. 1, 1976
Do	Branch	Gilead, township of	H 23030 01 through H 23030 07	Township Supervisor, 231 North Rd., Bronson, Mich. 49303	Nov. 22, 1976
Do	Berrien	Lake, township of	H 23030 01 through H 23030 07	Township Supervisor, 2229 Galt Rd., Bridgman, Mich. 49101	June 28, 1974 Oct. 1, 1976
Do	Rockham	Lake, township of	H 23030 01 through H 23030 12	Township Supervisor, Box 221A, Houghton Lake, Mich. 49931	Nov. 22, 1976
Do	Montcalm	Lakeview, village of	H 23030 01	President of Council, Lincoln Ave., Lakeview, Mich. 49850	July 11, 1975 Oct. 1, 1976
Do	Alger	Limestone, township of	H 23030 01 through H 23030 11	Supervisor, Township Hall, Travnik, Mich. 49760	Nov. 22, 1976
Do	Allegan	Manlius, township of	H 23030 01 through H 23030 12	Township Supervisor, Route 2, Hamilton, Mich. 49102	Do.
Do	Cass	Marcellus, township of	H 23030 01 through H 23030 12	Supervisor, Route 2, Marcellus, Mich. 49067	Do.
Do	Washtenaw	Scio, township of	H 23030 01 through H 23030 11	Supervisor, 827 North Zeeb Rd., Ann Arbor, Mich. 48103	Do.
Do	Cass	Silver Creek, township of	H 23030 01 through H 23030 10	Supervisor, Route 5, Leach Rd., Dowagiac, Mich. 49047	Do.
Do	Chippewa	See, township of	H 23030 01 through H 23030 07	Township Supervisor, Route 1, Box 250, Sanil St., Maric, Mich. 49853	Do.
Do	Iscia	Wilber, township of	H 23030 01 through H 23030 03	Supervisor, East Tawas, Mich. 49700	Do.
Minnesota	Chisago	Branch, city of	H 23030 01 through H 23030 11	Mayer, Rural Delivery 3, Branch, Minn. 55006	Aug. 20, 1974 Oct. 1, 1976
Do	Roseau	Unincorporated areas	H 23030 01 through H 23030 03	Chairman, commissioners, Roseau County Courthouse, Roseau, Minn. 56761	Nov. 22, 1976
New Hampshire	Carroll	Eaton, town of	H 23030 01 through H 23030 14	Selectman, Box 110, Eaton Center, N.H. 03302	Jan. 17, 1975 Oct. 1, 1976
Do	Cheshire	Fitzwilliam, town of	H 23030 01 through H 23030 12	Selectman, Town Hall, Fitzwilliam, N.H. 03347	Nov. 22, 1976
Do	Hillsborough	Hudson, town of	H 23030 01 through H 23030 10	Selectman, Town Hall, Hudson, N.H. 03051	Mar. 8, 1974 Oct. 1, 1976
New Jersey	Essex	Orange, city of	H 23030 01 through H 23030 03	Mayer, 20 North Day St., Orange, N.J. 07050	Nov. 22, 1976
New York	Ontario	Canandaigua, city of	H 23030 01 through H 23030 02	Mayer, City Hall, Two No. Main St., Canandaigua, N.Y. 14411	Do.
Do	Saratoga	Hadley, town of	H 23030 01 through H 23030 13	Supervisor, Town Hall, Hadley, N.Y. 12325	Sept. 13, 1974 Oct. 1, 1976
Do	Sullivan	Mamakating, town of	H 23030 01 through H 23030 13	Town Supervisor, Box 270, Wurtchero, N.Y. 12700	Nov. 22, 1976
Do	Oneida	Oneida Castle, village of	H 23030 01 through H 23030 12	Mayer, Ten Stanton Pl., Oneida, N.Y. 13421	Do.
Do	do	Paris, town of	H 23030 01 through H 23030 12	Town Supr., Town Clerk's Office, Clayville, N.Y. 13322	Do.
Do	Nassau	Plantation, village of	H 23030 01	Mayer, 65 South Drive, Plantation, N.Y. 11630	June 14, 1974 Oct. 1, 1976
N. Carolina	Swain	Bryson City, town of	H 23030 01 through H 23030 04	Mayer, P.O. Box 728, Bryson City, N.C. 28713	June 14, 1976 Oct. 1, 1976
Do	Avery	Newland, town of	H 23030 01	Mayer, P.O. Box 452, Newland, N.C. 28757	June 14, 1974 Oct. 1, 1976
Ohio	Vinton	McArthur, village of	H 23030 01	President, Village Council, 112 West Main St., McArthur, Ohio 42951	Nov. 22, 1976
Oklahoma	Grady	Alex, town of	H 23030 01 through H 23030 02	President, Town Hall, 191 South Main St., Alex, Okla. 74922	Do.
Do	Carter	Lena Grove, town of	H 23030 01 through H 23030 13	Chairman, Town Hall, P.O. Box 144, Lena Grove, Okla. 74443	Do.
Pennsylvania	Montour	Anthony, township of	H 23030 01 through H 23030 09	Chairman, Township Supervisor, Rural Delivery 1, Turbottville, Pa. 17772	Sept. 13, 1974 Oct. 1, 1976
Do	Bedford	Bedford, borough of	H 23030 01 through H 23030 03	Mayer, Juliana Heights, Bedford, Pa. 15522	Oct. 1, 1976
Do	Warren	Brokenstraw, township of	H 23030 01 through H 23030 11	Chairman, Rural Delivery No. 1, Pittsford, Pa. 15310	Dec. 20, 1974 Oct. 1, 1976
Do	Lebanon	Cleona, borough of	H 23030 01	Mayer, 421 Chestnut St., Cleona, Pa. 17042	Dec. 20, 1974 Oct. 1, 1976
Do	Delaware	Clifton Heights, borough of	H 23030 01	Mayer, Seven South Springfield Rd., Clifton Heights, Pa. 19118	Oct. 1, 1976
Do	Monroe	Coolbaugh, township of	H 23030 01 through H 23030 02	Chairman, Supervisor, Laurel Dr., Rural Delivery 1, Tobyhanna, Pa. 19403	Nov. 22, 1976
Do	Berks	Douglas, township of	H 23030 01 through H 23030 01	Chairman, Rural Delivery 2, Douglas Dr., Boyertown, Pa. 19312	Nov. 22, 1976 Oct. 1, 1976
Do	Beaver	Hanover, township of	H 23030 01 through H 23030 07	Chairman, Rural Delivery 1, Clifton, Pa. 15926	Sept. 13, 1974 Oct. 1, 1976
Do	Lycoming	Hughesville, borough of	H 23030 01 through H 23030 02	Mayer, Borough Hall, Hughesville, Pa. 17737	Jan. 23, 1974 Oct. 1, 1976
Do	Berks	Jefferson, township of	H 23030 01 through H 23030 03	Township Supervisor, Rural Delivery 2, Bensville, Pa. 17009	Nov. 22, 1976
Do	Mercer	Mill Creek, township of	H 23030 01 through H 23030 03	Chairman of Supervisors, Rural Delivery No. 2, Box 50, Sandy Lake, Pa. 16145	June 15, 1976 Dec. 20, 1974 Oct. 1, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Berks	Mt. Penn, borough of	H 420143 01	Mayor, 200 North 25th St., Mount Penn, Pa. 19606	Nov. 28, 1976
Do.	Columbia	Orange, township of	H 421003A 01 through H 421003A 06	Chairman, Rural Delivery 2, Orangeville, Pa. 17857	Feb. 15, 1974 Oct. 1, 1976
Do.	Schuylkill	Port Carbon, borough of	H 420783A 01	Mayor, 325 Second St., Port Carbon, Pa. 17065	Mar. 23, 1973 Oct. 1, 1976
Do.	do	Port Clinton, borough of	H 420781A 01 through H 420781A 02	Mayor, Borough Hall, Port Clinton, Pa. 19369	Mar. 9, 1973 Oct. 1, 1976
Do.	Tioga	Putnam, township of	H 420821A 01	Chairman, 187 Canada Rd., Covington, Pa. 16017	Feb. 1, 1971 Oct. 1, 1976
Do.	Allegheny	Sewickley Hills, borough of	H 420972A 01 through H 420972A 01	Mayor, Route 4, Fairhill Rd., Sewickley, Pa. 15143	Nov. 20, 1976
Do.	Berks	Upper Bern, township of	H 421118A 01 through H 421118A 03	Supervisor, Bernville, Pa. (No ZIP Code)	Sept. 20, 1971 Oct. 1, 1976
Do.	Lehigh	Upper Macungie, township of	H 421044A 01 through H 421044A 03	Chairman, Township Supervisor, Wescosville, Pa. 18106	Nov. 20, 1976
Do.	Greene	Washington, township of	H 421678A 01 through H 421678A 03	Chairman of Township Supervisor, Township Bldg., Waynesburg, Pa. 17263	Nov. 1, 1971 Oct. 1, 1976
Do.	Luzerne	Wright, township of	H 420632A 01 through H 420632A 07	Township Supervisor, 321 South Mountain Blvd., Mountaintop, Pa. 18707	Mar. 8, 1971 Oct. 1, 1976
Rhode Island	Providence	Scituate, town of	H 440024A 01 through H 440024A 18	Town Clerk, Town Hall, Main St., North Scituate, R.I. 02857	Sept. 6, 1971 Oct. 1, 1976
Tennessee	Hickman	Centerville, city of	H 470092A 01 through H 470092A 04	Mayor, P.O. Box 226, Centerville, Tenn. 37033	Feb. 1, 1971 Oct. 1, 1976
Do.	Bradley	Charleston, city of	H 470014A 01 through H 470014A 02	Mayor, Route 1, Box 4, Charleston, Tenn. 37310	Feb. 1, 1971
Do.	Rhea	Graysville, city of	H 470153A 01 through H 470153A 02	Mayor, P.O. Box 108, Graysville, Tenn. 37338	Mar. 8, 1971 Oct. 1, 1976
Do.	Metropolitan government of Nashville and Davidson Counties		H 470040A 01 through H 470040A 42	Mayor, Metropolitan Courthouse, Nashville, Tenn. 37201	Dec. 27, 1971 Oct. 1, 1976
Do.	Morgan	Oakdale, city of	H 470140A 01 through H 470140A 02	Mayor, P.O. Box 116, Oakdale, Tenn. 37829	Feb. 1, 1971 Oct. 1, 1976
Texas	Hamilton	Hamilton, city of	H 480281A 01 through H 480281A 02	Mayor, City Hall, 400 North Rice Ave., Hamilton, Tex. 76331	Nov. 20, 1976
Do.	Randall	Lake Tanglewood, village of	H 481259 01 through H 481259 03	Mayor, Village Hall, Route 2, Box A40, Amarillo, Tex. 79105	Do.
Do.	Bowie	Leary, city of	H 481142 01 through H 481142 02	Mayor, City Hall, Leary, Tex. 75501	Do.
Do.	Brazoria	Liverpool, city of	H 480075 01 through H 480075 02	Mayor, City Hall, Liverpool, Tex. 77577	Do.
Do.	Montgomery	Montgomery, city of	H 481483 01 through H 481483 02	Mayor City Hall, P.O. Box 708, Montgomery, Tex. 77145	Do.
Do.	Polk	Onalaska, city of	H 480974 01	Mayor, Town Hall, P.O. Box 803, Onalaska, Tex. 77360	Nov. 23, 1976
Utah	Davis	Clearfield, city of	H 490041A 01 through H 490041A 03	Building Inspector, 140 East Center St., Clearfield, Utah 84015	Aug. 2, 1971 Oct. 1, 1976
Vermont	Franklin	Fairfield, town of	H 500053A 01 through H 500053A 25	Town Clerk, Town Hall, P.O. Box 203, Fairfield, Vt. 05453	Jan. 10, 1976 Oct. 1, 1976
Do.	Addison	Lincoln, town of	H 500072A 01 through H 500072A 14	Chairman, Board of Selectmen, R.D. No. 1, Box 60, Bristol, Vt. (no ZIP code)	Aug. 2, 1971 Oct. 1, 1976
Do.	Bennington	Manchester, village of	H 500179A 01 through H 500179A 02	President, Board of Trustees, Box 613, Manchester, Vt. 05254	Oct. 13, 1971 Oct. 1, 1976
Do.	Orange	Newbury, village of	H 500233 01 through H 500233 03	Selectman, Village Hall, Newbury, Vt. 05051	Nov. 20, 1976
Do.	Rutland	Pittsfield, town of	H 500283A 01 through H 500283A 09	Chairman, Board of Selectmen, Box 51, Pittsfield, Vt. 05762	Dec. 13, 1971 Oct. 1, 1976
Do.	Orleans	Westmore, town of	H 500311A 01 through H 500311A 12	Town Clerk, R.D. No. 2, Orleans, Vt. 05860	Jan. 3, 1976 Oct. 1, 1976
Wisconsin	Wood	Marshfield, city of	H 550515 01 through H 550515 05	Mayor, 112 East 2d St., Marshfield, Wis. 54119	Nov. 28, 1976
Do.	Winnebago	Winneconne, village of	H 550512A 01	President, 221 West Main St., Winneconne, Wis. 54980	Jan. 16, 1971 Oct. 1, 1976
Wyoming	Sheridan	Sheridan, city of	H 560044A 01 through H 560044A 07	City Engineer, P.O. Box 818, Sheridan, Wyo. 82801	Jan. 16, 1971 Oct. 1, 1976
Alabama	Madison	New Hope, town of	H 010154A 01	Mayor, P.O. Drawer T, New Hope, Ala. 35760	June 14, 1971 Oct. 1, 1976
Do.	Pickens	Reform, town of	H 010221A 01 through H 010221A 06	Mayor, P.O. Box 431, Reform, Ala. 35981	Dec. 27, 1971
Do.	Talladega	Sylacauga, city of	H 010193A 01 through H 010193A 05	Mayor, City Hall, Sylacauga, Ala. 35160	Nov. 22, 1971 Oct. 8, 1976
Arkansas	Craighead	Jonesboro, city of	H 050048A 01 through H 050048A 08	Mayor, City Hall, Jonesboro, Ark. 72101	Oct. 20, 1973 Oct. 8, 1976
California	Imperial	Calexico, city of	H 060067A 01 through H 060067A 03	Director of Public Works, city of Calexico, Courthouse, El Centro, Calif. 92245	Feb. 1, 1971 Oct. 8, 1976
Do.	Sacramento	Folsom, city of	H 060263A 01 through H 060263A 08	Mayor, City Hall, 50 Notoma St., Folsom, Calif. 95630	Dec. 3, 1976
Do.	Monterey	Sand City, city of	H 060135 01	Mayor, City Hall, No. 1 Sylvan Park, Sand City, Calif. 93955	Do.
Do.	Contra Costa	Walnut Creek, city of	H 065070A 01 through H 065070A 41	City Engineer, 1445 Civic Dr., Walnut Creek, Calif. 94596	Nov. 8, 1971 Oct. 8, 1976
Colorado	Rio Grande	Monte Vista, city of	H 080155A 01 through H 080155A 01	City Manager, City Hall, P.O. Box 431, Monte Vista, Colo. 81144	Dec. 3, 1976
Connecticut	Litchfield	Salisbury, town of	H 090052A 01 through H 090052A 18	First Selectman, Town Hall, Salisbury, Conn. 06063	June 23, 1971 Oct. 8, 1976
Do.	Hartford	Southington, town of	H 090037A 01 through H 090037A 21	Town Planner, Planning and Zoning Commission, Town Hall, 75 Main St., Southington, Conn. 06489	May 10, 1971 Oct. 8, 1976
Florida	Putnam	Crescent City, city of	H 120408 01 through H 120408 02	Mayor, 115 N. Summit St., Crescent City, Fla. 32019	Dec. 3, 1976
Do.	do	Interlachen, town of	H 120391 01 through H 120391 04	Mayor, P.O. Box 85, Interlachen, Fla. 32018	Do.
Illinois	McLean	Carlock, village of	H 170491A 01	Village President, 206 East Douglas, Carlock, Ill. 61725	Do.
Do.	Knox	Williamsfield, village of	H 170535A 01	Village President, Village Hall, Williamsfield, Ill. 61459	Do.
Iowa	Mitchell	Osage, city of	H 190639 01	Mayor, City Hall, Osage, Iowa 50161	Do.
Kansas	Doniphan	Wathena, city of	H 200083A 01	Mayor, City Hall, Wathena, Kans. 66090	Mar. 22, 1974 Oct. 8, 1976
Louisiana	Ouachita Parish	Monroe, city of	H 220136A 01 through H 220136A 11	Mayor, City Hall, Monroe, La. 71201	Sept. 6, 1974 Oct. 8, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Maine	Sagadahoc	Bowdoinham, town of	H 230112A 01 through H 230112A 16	Selectman, Town Hall, Bowdoinham, Maine 04008	Dec. 3, 1976
Do	Lincoln	Bremen, town of	H 230214A 01 through H 230214A 13	Chairman Bremen Planning Board, Bremen Planning Board, Meemak, Maine 04531	Jan. 31, 1975
Do	Washington	Calais, city of	H 230314A 01 through H 230314A 19	City Manager, City Hall, Calais, Maine 04819	Oct. 8, 1976
Do	Penobscot	Corinna, town of	H 230327 01 through H 230327 12	City Manager, City Hall, Calais, Maine 04819	June 28, 1974
Do	Aroostook	Eagle Lake, town of	H 230316A 01 through H 230316A 13	Selectman, P.O. Box 428, Corinna, Maine 04838	Oct. 8, 1976
Do	Cumberland	Harpwell, town of	H 230163A 01 through H 230163A 24	Town Manager, Town Hall, Eagle Lake, Maine 04759	Dec. 3, 1976
Do	Kennebec	Litchfield, town of	H 230238A 01 through H 230238A 18	Town Manager, Town Hall, South Harpswell, Maine 04873	Nov. 1, 1974
Do	Knox	North Haven, town of	H 230238A 01 through H 230238A 18	Town Manager, Town Hall, Litchfield, Maine 04830	Oct. 8, 1976
Do	Penobscot	Patten, town of	H 230115A 01 through H 230115A 12	Chairman, Board of Selectmen, Town Hall, North Haven, Maine 04833	Feb. 28, 1975
Do	Sagadahoc	Richmond, town of	H 230121A 01 through H 230121A 12	Selectman, Town Hall, Dearborn St., Patten, Maine 04873	Oct. 8, 1976
Do	Knox	Rockland, city of	H 230076A 01 through H 230076A 07	Town Manager, Town Office, Main St., Richmond, Maine 04873	May 31, 1974
Massachusetts	Middlesex	Chelmsford, town of	H 230158A 01 through H 230158A 11	City Manager, 4 Union St., Rockland, Maine 04831	Nov. 8, 1974
Do	Bristol	Freetown, town of	H 230036A 01 through H 230036A 14	Chairman, Flood Prevention Commission, Town of Chelmsford, 18 Fenwick Dr., Chelmsford, Mass. 01824	Oct. 8, 1976
Do	Middlesex	Hopkinton, town of	H 230156A 01 through H 230156A 11	Chairman, Planning Board, 106 High St., Acronit, Mass. 02702	Aug. 2, 1974
Do	Plymouth	Plympton, town of	H 230273A 01 through H 230273A 03	Chairman, Conservation Commission, 20 Mayhew St., Hopkinton, Mass. 01748	July 12, 1974
Do	Essex	Rockport, town of	H 230109A 01 through H 230109A 03	Town Planner, Town Hall, Plympton, Mass. 02267	Sept. 13, 1974
Do	Berkshire	Washington, town of	H 230041A 01 through H 230041A 12	Town Engineer, Town Office Bldg., Rockport, Mass. 01950	Aug. 9, 1974
Do	Hampshire	Williamsburg, town of	H 230174A 01 through H 230174A 10	Selectman, Town Hall, Washington, Mass. 01823	Oct. 8, 1976
Michigan	Genesee	Burton, city of	H 230237A 01 through H 230237A 04	Selectman, Town Hall, Haydenville, Mass. 01830	Sept. 13, 1974
Do	Delta	Ford River, township of	H 230237A 01 through H 230237A 04	Mayer, 433 South Center Rd., Burton, Mich. 48307	Oct. 8, 1976
Do	Schoolcraft	Thompson, township of	H 230319 01 through H 230319 11	Mayer, 433 South Center Rd., Burton, Mich. 48307	Dec. 3, 1976
Minnesota	Ramsey	North St. Paul, city of	H 230328A 01 through H 230328A 02	Supervisor, Rural Delivery 1, Bark River, Mich. 48397	Do
Montana	Sweet Grass	Big Timber, city of	H 230106 01 through H 230106 01	Supervisor, Township Office, P.O. Box G, Thompson, Mich. 48392	Do
Nebraska	Furnas	Wilsonville, village of	H 230330A 01 through H 230330A 01	Mayer, City Hall, 2323 East Seventh Ave., North St. Paul, Minn. 55109	Mar. 29, 1974
Nevada	Clark	Las Vegas, city of	H 230376A 01 through H 230376A 03	Mayer, City Hall, Big Timber, Mont. 59011	Oct. 8, 1976
New Jersey	Essex	Essex Fells, borough of	H 230376A 01 through H 230376A 03	Mayer, Village Hall, Wilsonville, Nebr. 68019	Dec. 3, 1976
Do	Hunterdon	Flemington, borough of	H 230376A 01 through H 230376A 03	Director of Public Works, 490 East Stewart Ave., Las Vegas, Nev. 89101	Do
Do	Salem	Pittsgrove, township of	H 230121A 01 through H 230121A 12	Mayer, 235 Rockland Ave., Essex Fells, N.J. 07021	Do
Do	Burlington	Willingsboro, township of	H 230121A 01 through H 230121A 12	Mayer, 235 Rockland Ave., Essex Fells, N.J. 07021	Nov. 1, 1974
New York	Jefferson	Alexandria, town of	H 230326B 01 through H 230326B 03	Mayer, 235 Rockland Ave., Essex Fells, N.J. 07021	Oct. 8, 1976
Do	Schuyler	Catharine, town of	H 230745A 01 through H 230745A 14	Mayer, R.F.D. 1, Olivet, Elmira, N.J. 06318	Dec. 3, 1976
Do	Stenben	Corning, town of	H 230773A 01 through H 230773A 03	Township Manager, Sal in Rd., Willingsboro, N.J. 06646	Nov. 30, 1973
Do	Jefferson	LeRay, town of	H 230341B 01 through H 230341B 10	Supervisor, Town Hall, Alexandria, N.Y. 12012	Dec. 8, 1976
Do	Ontario	Phelps, village of	H 230430A 01 through H 230430A 13	Supervisor, Town Hall, Odessa, N.Y. 14850	Oct. 8, 1976
Do	Monroe	Riga, town of	H 230430A 01 through H 230430A 13	Supervisor, 12 South Elm St., Corning, N.Y. 14830	Sept. 11, 1973
Do	Wayne	Sodus, town of	H 230538A 01 through H 230538A 18	Town Supervisor, Evans Mills, N.Y. 13337	Oct. 8, 1976
Do	Wayne	Williamson, town of	H 230900B 01 through H 230900B 03	Mayer, Main St., Phelps, N.Y. 14532	Dec. 3, 1976
Do	Westchester	Yonkers, city of	H 230930A 01 through H 230930A 03	Supervisor, 812 South Main St., Churchville, N.Y. 14428	Mar. 8, 1974
North Carolina	Caldwell	Lenoir, city of	H 230930A 01 through H 230930A 03	Supervisor, Box 89, Sodus, N.Y. 14531	Aug. 16, 1974
Do	Cherokee	Murphy, town of	H 230930A 01 through H 230930A 03	Supervisor, 7 East Main St., Williamson, N.Y. 14539	Feb. 27, 1976
Ohio	Hamilton	Terrace Park, village of	H 230930A 01 through H 230930A 03	Engineer, City Hall, Yonkers, N.Y. 10701	Jan. 9, 1974
Oklahoma	Garfield	Lahoma, town of	H 230930A 01 through H 230930A 03	Mayer, P.O. Drawer 68, Lenoir, N.C. 28645	Oct. 8, 1976
Pennsylvania	Lancaster	Adamstown, borough of	H 230930A 01 through H 230930A 03	Mayer, P.O. Box 129, Murphy, N.C. 28668	Dec. 3, 1976
Do	Dauphin	Dauphin, borough of	H 230930A 01 through H 230930A 03	Mayer, 423 Elm Ave., Terrace Park, Ohio 43174	Mar. 8, 1974
Do	Allegheny	Emsworth, borough of	H 230930A 01 through H 230930A 03	Mayer, 423 Elm Ave., Terrace Park, Ohio 43174	Oct. 8, 1976
Do	Lycoming	Fairfield, township of	H 230930A 01 through H 230930A 03	President, Town Hall, Lahoma, Okla. 73754	Feb. 8, 1974
Do	Armstrong	Freeport, borough of	H 230930A 01 through H 230930A 03	Mayer, P.O. Box 546, Adamstown, Pa. 17701	Dec. 3, 1976
Do	Tioga	Knoxville, borough of	H 230930A 01 through H 230930A 03	Mayer, 706 Edison Rd., Dauphin, Pa. 17018	Nov. 9, 1973
Do	Clinton	Lamar, township of	H 230930A 01 through H 230930A 03	Mayer, 171 Center Ave., Emsworth, Pa. 15202	Oct. 8, 1976
Do	Carbon	Mahoning, township of	H 230930A 01 through H 230930A 03	Chairman, Rural Delivery 3, Monticelloville, Pa. 17754	Mar. 1, 1974
				Mayer, 420 Market St., Freeport, Pa. 15229	Oct. 8, 1976
				President of Council, Knoxville, Pa. 16223	May 31, 1974
				Chairman, Township Hall, Mackeyville, Pa. 17750	Dec. 3, 1976
				Chairman, Rural Delivery 1, Lehighton, Pa. 15235	Oct. 8, 1976

State	County	Location	Map No.	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Chester	Malvern, borough of	H 420281 01	Mayor, Box 437, Malvern, Pa. 19355	Dec. 3, 1976
Do.	Lancaster	Marietta, borough of	H 420553A 01 through H 420553A 03	Mayor, P.O. Box 167, Marietta, Pa. 17547	Oct. 12, 1974
Do.	Wyoming	Meshoppen, township of	H 421009A 01 through H 421009A 03	Chairman, R.D. 1, Meshoppen, Pa. 18630	May 3, 1974
Do.	do.	Monroe, township of	H 421186A 01 through H 421186A 03	Chairman, R.D. 5, Box 166, Tunkhannock, Pa. 18650	Oct. 8, 1976
Do.	Schuylkill	Mount Carbon, borough of	H 421955A 01	President, Council, 75 Main St., Mount Carbon, Pittsville, Pa. 17901	Aug. 30, 1974
Do.	Franklin	Southampton, township of	H 421657A 01 through H 421657A 04	Chairman, R.D. 3, Shippensburg, Pa. 17257	Oct. 8, 1976
Do.	do.	Waynesboro, borough of	H 420473 01 through H 420473 03	Mayor, P.O. Box 310, Waynesboro, Pa. 17268	Dec. 3, 1976
South Dakota	Brookings	Brookings, city of	H 460004A 01 through H 460004A 04	Mayor, City Hall, Brookings, S. Dak. 57009	Mar. 22, 1974
Do.	Hutchinson	Tripp, city of	H 460219 01	Mayor, City Hall, Tripp, S. Dak.	Oct. 8, 1976
Tennessee	Marshall	Chapel Hill, town of	H 470120A 01 through H 470120A 02	Mayor, P.O. Box 74, Chapel Hill, Tenn. 37031	Dec. 3, 1976
Do.	Tipton	Covington, city of	H 470189C 01 through H 470189C 05	Mayor, P.O. Box 130, Covington, Tenn. 38012	June 14, 1974
Do.	Rhea	Dayton, city of	H 470152A 01 through H 470152A 06	Mayor, P.O. Box 226, Dayton, Tenn. 37321	Dec. 3, 1976
Do.	Henderson	Lexington, city of	H 470089A 01 through H 470089A 10	Mayor, P.O. Box 87, Lexington, Tenn. 38351	Mar. 1, 1974
Do.	Perry	Linden, town of	H 470145A 01 through H 470145A 02	Mayor, P.O. Box 46, Linden, Tenn. 37096	Oct. 8, 1976
Do.	Loudon	Loudon, city of	H 470110A 01 through H 470110A 02	Mayor, P.O. Box 183, Loudon, Tenn. 37774	June 14, 1974
Do.	Giles	Lynnville, town of	H 470065A 01	Mayor, P.O. Box 116, Main St., Lynnville, Tenn. 38472	Oct. 8, 1976
Texas	Wichita	Electra, city of	H 480659 01 through H 480659 02	Mayor, 103 North Main St., City Hall, Electra, Tex. 76850	June 14, 1974
Do.	Carson	Groom, city of	H 480728 01	Mayor, City Hall, P.O. Box 217, Groom, Tex. 76033	Dec. 3, 1976
Vermont	Rutland	Benson, town of	H 500259A 01 through H 500259A 14	Chairman, Board of Selectmen, Benson, Vt. 05731	Do.
Do.	Chittenden	Colchester, town of	H 500033A 01 through H 500033A 17	Chairman, Board of Selectmen, Town Office, Colchester, Vt. 05401	Dec. 13, 1974
Do.	Rutland	Rutland, city of	H 500101B 01 through H 500101B 04	Chairman, Rutland City Planning Commission, P.O. Box 69, Rutland, Vt. 05701	Oct. 8, 1976
Do.	Chittenden	South Burlington, city of	H 500195A 01 through H 500195A 07	City Manager, 1175 Williston Rd., South Burlington, Vt. 05401	Mar. 12, 1974
Do.	Addison	Starksboro, town of	H 500172A 01 through H 500172A 16	Mayor, Town Hall, Box 91, Starksboro, Vt. 05457	Sept. 19, 1976
Washington	King and Pierce	Milton, city of	H 530294 01	Mayor, Town Hall, Box 578, Milton, Wash. 98351	Oct. 8, 1976
Do.	Pierce	Ruston, town of	H 530300 01	Mayor, Town Hall, Ruston, Wash.	Nov. 1, 1974
Wisconsin	Lafayette and Iowa	Blanchardville, village of	H 550272C 01	Village President, Village Hall, Blanchardville, Wis.	Oct. 8, 1976
Do.	Marathon	Edgar, village of	H 550248 01	Village President, Box 67, Edgar, Wis. 54426	Dec. 3, 1976

(National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (39 FR 18704, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969.)

Issued: October 1, 1976.

J. ROBERT HUNTER,
Federal Insurance Administrator.

[FR Doc.76-30001 Filed 10-14-76;8:45 am]

Title 25—Indians

CHAPTER I—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR PART 221—OPERATION AND MAINTENANCE CHARGES

Water Charges on the Ahtanum Indian Irrigation Project

These final regulations are issued under the authority delegated to the Commissioner of Indian Affairs by the Secretary of the Interior in 230 DM 1 and redelegated by the Commissioner to the Area Directors in 10 BIAM 3. The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

On page 37117 of the September 2, 1976, FEDERAL REGISTER (41 FR 172), there was published a notice of intention to modify § 221.1 of Part 221, Subchapter T, Chapter I, of Title 25 of the Code of Federal Regulations by changing the rate for annual operation and

maintenance assessments on the Ahtanum Indian Irrigation Project for Calendar Year 1977 and subsequent years. This modification was proposed pursuant to the authority contained in the Acts of August 1, 1914 (38 Stat. 583), and March 7, 1928 (45 Stat. 210).

Interested persons were given until October 4, 1976, to submit written comments, suggestions, or objections regarding the proposed regulations.

During this period no comments, suggestions, or objections were submitted. Sufficient justification exists for modifying the rate for water charges for the Ahtanum Indian Irrigation Project as set forth below.

The modified § 221.1 shall become effective November 15, 1976.

Therefore, 25 CFR Part 221 is amended by revising § 221.1 as set forth below.

§ 221.1 Charges.

The operation and maintenance rate on lands of the Ahtanum Indian Irrigation Project, Yakima Indian Reserva-

tion, Washington, for the Calendar Year 1977 and subsequent years until further notice, is hereby fixed at \$5.25 per acre per annum for each irrigable acre of land to which water can be delivered from the project works.

Dated: October 8, 1976.

DOYCE L. WALDRIP,
Acting Area Director.

[FR Doc.76-30200 Filed 10-14-76;8:45 am]

PART 221—OPERATION AND MAINTENANCE CHARGES

Water Charges on the Toppenish-Simcoo Indian Irrigation Project

These final regulations are issued under the authority delegated to the Commissioner of Indian Affairs by the Secretary of the Interior in 230 DM 1 and redelegated by the Commissioner to the Area Directors in 10 BIAM 3. The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C.

301 and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

On page 37117 of the September 2, 1976, FEDERAL REGISTER (41 FR 172), there was published a notice of intention to modify § 221.73 of Part 221, Subchapter T, Chapter I, of Title 25 of the Code of Federal Regulations by changing the rate for annual operation and maintenance assessments on the Toppenish-Simcoe Indian Irrigation Project for Calendar Year 1977 and subsequent years. This modification was proposed pursuant to the authority contained in the Acts of August 1, 1914 (38 Stat. 583) and March 7, 1928 (45 Stat. 210).

Interested persons were given until October 4, 1976, to submit written comments, suggestions, or objections regarding the proposed regulations.

During this period no comments, suggestions, or objections were submitted. Sufficient justification exists for modifying the rate for water charges for the Toppenish-Simcoe Indian Irrigation Project as set forth below.

The modified § 221.73 shall become effective November 15, 1976.

Therefore, 25 CFR Part 221 is amended by revising § 221.73 as set forth below.

§ 221.73 Charges.

The operation and maintenance rate for the lands under the Toppenish-Simcoe Irrigation Project, Yakima Indian Reservation, Washington for the Calendar Year 1977 and subsequent years until further notice, is hereby fixed at \$5.45 per acre per annum for all lands for which application for water is made and approved by Project Engineer.

Dated: October 8, 1976.

DOYCE L. WALDRIP,
Acting Area Director.

[FR Doc.76-30201 Filed 10-14-76;8:45 am]

PART 221—OPERATION AND MAINTENANCE CHARGES

Basic and Other Water Charges on the Wapato Indian Irrigation Project

These final regulations are issued under the authority delegated by the Secretary of Interior to the Commissioner of Indian Affairs by 230 DM 1 and redelegated by the Commissioner to the Area Directors in 10 BIAM 3. The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

Beginning on page 37117 of the September 2, 1976, FEDERAL REGISTER (41 FR 172), there was published a notice of intention to modify § 221.86 of Part 221, Subchapter T, Chapter I, of Title 25 of the Code of Federal Regulations by changing the basic rates for annual operation and maintenance assessments on the Wapato Indian Irrigation Project for Calendar Year 1977 and subsequent years. This modification was proposed pursuant to the authority contained in the Acts of August 1, 1914, (38 Stat. 583), and March 7, 1928 (45 Stat. 210).

Interested persons were given until October 4, 1976, to submit written comments, suggestions, or objections regarding the proposed regulations.

During this period no comments, suggestions, or objections were submitted. Sufficient justification exists for modifying the rate for basic and other water charges for the Wapato Indian Irrigation Project as set forth below.

The modified § 221.86 shall become effective November 15, 1976.

Therefore, 25 CFR Part 221 is amended by revising § 221.86 as set forth below.

§ 221.86 Charges.

The basic operation and maintenance rates on assessable lands under the Wapato Indian Irrigation Project, Yakima Indian Reservation, Washington, for the Calendar Year 1977 and subsequent years until further notice are:

- | | |
|---|---------|
| (1) Minimum charges for all tracts in noncontiguous single ownership | \$14.00 |
| (2) Flat rate upon all farm units or tracts for each assessable acre except additional works lands. | 14.00 |
| (3) Storage operation and maintenance. For all lands with a storage water right, known as "B" lands, in addition to other charges per acre. | 1.00 |
| (4) Flat rate upon all farm units or tracts for each assessable acre of additional works lands. | 14.00 |

Dated: October 8, 1976.

DOYCE L. WALDRIP,
Acting Area Director.

[FR Doc.76-30202 Filed 10-14-76;8:45 am]

SUBCHAPTER W—MISCELLANEOUS ACTIVITIES

PART 252—BUSINESS PRACTICES ON THE NAVAJO, HOPI AND ZUNI RESERVATIONS

Retail Business and Credit Transactions; Notice of Effective Date of Certain Provisions

OCTOBER 6, 1976.

This notice is published in exercise of authority delegated by Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2. The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

On Thursday, January 22, 1976, FR Doc. 76-1915 appearing at page 3283 in the FEDERAL REGISTER gave notice that the effective date for §§ 252.7(b), 252.14 and 252.32(c) of 25 CFR contained in FR Doc. 75-22997 appearing at page 39835 in the FEDERAL REGISTER of Friday, August 29, 1975 (40 FR 39835), was being deferred until further notice.

On Thursday, April 1, 1976, FR Doc. 76-9212 appearing at page 13938 in the FEDERAL REGISTER proposed revisions to those provisions. Those revisions were published as final regulations on Tuesday, June 8, 1976, in FR Doc. 76-16466 appearing at page 22936 in the FEDERAL REGISTER.

The effective date had been deferred to correct certain defects in the affected

provisions. Since FR Doc. 76-16466 corrects those defects, this document gives notice of the effective date for the deferred provisions.

Effective date: 25 CFR 252.7(b), 252.14 and 252.32(c) become effective October 15, 1976.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.76-30193 Filed 10-14-76;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Approval of Supplements to Maryland Plan

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, provides procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) for review of changes and progress in the development and implementation of State plans which have been approved in accordance with section 18 (c) of the Act and 29 CFR Part 1902. On July 5, 1973, a notice was published in the FEDERAL REGISTER (38 FR 17834) of the approval of the Maryland Plan and the adoption of Subpart O of Part 1952 containing the decision and describing the plan. By letters dated April 29, 1975, September 26, 1975, October 2, 1975, October 24, 1975, October 29, 1975, and January 30, 1976, the State of Maryland submitted supplements to the plan involving developmental changes and State-initiated changes (see Subparts B and E of 29 CFR Part 1953). The supplements consist of various rules, regulations and administrative procedures promulgated by the State designee as well as certain developmental changes. On January 28, 1976, a notice was published in the FEDERAL REGISTER (41 FR 4035) concerning the submission of the supplements to the Assistant Secretary for approval; notice was also given in that publication that interested persons were afforded thirty days from the date of publication to submit written comments.

2. *Description of supplements—(a) Health plan.* In accordance with the requirement of the developmental step set forth in 29 CFR 1952.213(1), the State of Maryland was to develop and implement an occupational health plan by July 1975. Following review by OSHA, the State submitted changes to its plan by letters dated October 24, 1975, October 29, 1975, and January 30, 1976, describing the manner and methodology by which Maryland is implementing and will implement its health program under the plan. Among other things, the health plan describes the organization and staffing of health personnel, training, inspection scheduling, and compliance activities to be implemented under the health plan. The plan also provides for consultation services regarding occupational health whenever requested by an employer.

(b) *Management information system.* In accordance with the requirement of the developmental step set forth in 29 CFR 1952.213(n), the designee would have developed and implemented a Management Information System by December 1975. By an additional letter dated January 30, 1976, the State submitted a document describing the operation of its Management Information System, which became fully operational as of May 1, 1975.

(c) *Enforcement of agricultural standards.* The decision approving the Maryland plan provided that agricultural standards would be enforced by the Maryland Department of Agriculture by agreement with the Division of Labor and Industry. By a letter dated April 29, 1975, the designated agency indicated that the agreement with the Department of Agriculture has been terminated and that the State's agricultural standards are now being enforced by the Division of Labor and Industry.

(d) *Maritime enforcement.* The decision approving the Maryland Plan indicated that the State intended to adopt and enforce Federal standards applicable to maritime activities by December 1975. By an additional letter dated October 29, 1975, the State stated that it does not intend to adopt and enforce the standards contained in 29 CFR Parts 1915, 1916, 1917, and 1918 (and therefore 29 CFR 1910.13 through 1910.16) and accordingly has amended its plan to delete all references to enforcement of maritime standards within the State.

(e) *Boiler inspections.* The decision approving the Maryland State plan provided that the State would conduct boiler certification inspections. By a letter dated October 2, 1975, the designated agency indicated that this function is being deleted from coverage under the State plan. The designee has requested the Maryland Board of Public Works to remove all boiler personnel from the MOSH portion of the State's budget.

(f) *Fire inspection program.* By a letter dated September 26, 1975, the State indicated that an interagency agreement between the Division of Labor and Industry and the State Fire Marshal's Office for the enforcement of fire safety standards has been terminated as of March 31, 1975. The State indicated that inspectors from the Fire Marshal's staff would be transferred to the Division of Labor and Industry and that specialized training in the fire safety standards would be provided for additional inspectors already in the Department of Labor and Industry.

3. *Public participation.* Interested persons were afforded 30 days to submit written comments or request a hearing concerning the proposed supplements listed above. No comments or requests for a hearing were received on the items during the period allotted. The changes meet current requirements, are enforcement oriented or administrative in nature, and will undergo evaluation with the plan as a whole.

4. *Location of the plan and its supplements for inspection and copying.* A copy of these supplements, along with the ap-

proved plan, may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, Room N-3608, 200 Constitution Avenue, NW., Washington, D.C. 20210; Technical Data Center (OSHA), Room N-3620, 200 Constitution Avenue, NW., Washington, D.C. 20210; Regional Administrator, Occupational Safety and Health Administration, Suite 15220 Gateway Building, 3535 Market Street, Philadelphia, Pennsylvania 19104; Office of the Commissioner, Maryland Division of Labor and Industry, 203 East Baltimore Street, Baltimore, Maryland 21202.

5. *Decision.* After careful consideration, the Maryland plan supplements outlined above are approved under 29 CFR Part 1953 of this chapter. This decision incorporates the requirements of the Act and implementing regulations applicable to State plans generally. In addition, §§ 1952.213 and 1952.214 of Subpart O of 29 CFR Part 1952 are amended to reflect the plan amendments in the State's developmental schedule and the completion of two developmental steps. 29 CFR 1952.213 is amended by deleting the existing paragraphs (c) and (o), redesignating paragraph (n) as paragraph (c), and revising paragraph (k) as follows:

§ 1952.213 Developmental schedule.

(k) Inspection and enforcement of agriculture standards by December 1974.

In addition, 29 CFR 1952.214 is amended to reflect the completion of developmental steps by adding paragraphs (c) and (d) as follows:

§ 1952.214 Completed developmental steps.

(c) In accordance with the commitment expressed in § 1952.213(l), the State of Maryland developed and implemented an occupational health plan by December 31, 1975.

(d) In accordance with the commitment expressed in § 1952.213(n), the designee developed a fully operational Management Information System by May 1, 1975.

(Secs. 8(g), 18, Pub. L. 91-596, 85 Stat. 1600, 1608 (29 U.S.C. 657(g), 667).)

Signed at Washington, D.C. this 7th day of October 1976:

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc. 76-30291 Filed 10-14-76; 8:45 am]

Title 36—Parks, Forests, and Public Property

CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

PART 2—PUBLIC USE AND RECREATION

Smoking in Caves

Pursuant to the authority contained in section 3 of the Act of August 25, 1916

(39 Stat. 535, 16 U.S.C. 3) and 245 DM 1 (34 FR 13879), as amended, a new § 2.38 is hereby added to Title 36, Code of Federal Regulations, as set forth below.

The purpose of this amendment is to reduce a recently discovered health hazard to park, concessioner, and contractor employees who work in cave environments. This is necessary because of medical and scientific evidence which indicates that there is a detrimental synergistic effect associated with the combined inhalation, over an extended period of time, of tobacco smoke and certain radioactive particles which have been found to be existent in caves and which are known as "radioactive daughters of radon gas."

Park Superintendents presently have authority to prohibit smoking on any lands in park areas; this authority has been used in the past and is being used at the present time to close some caves to smoking. However, the regulation providing this authority, 36 CFR § 2.12(f), is principally for purposes of fire prevention. Because the need to close caves to smoking relates primarily to an environmental health hazard and not to fire prevention, the National Park Service considers it advisable in this instance to promulgate a regulation which provides a clearer basis for action by park Superintendents.

It has been determined, pursuant to the National Environmental Policy Act of 1969 and applicable guidelines, that the regulation set forth below is not a major Federal action which will have a significant effect on the quality of the human or natural environment and, therefore, no environmental impact statement is required.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process by providing a public comment period prior to the implementation of a new or amended regulation. However, in this instance it has been determined that the emergency nature of this action requires immediate implementation, without waiting for the passage of the public comment period and 30 day waiting period which are usually required. Nevertheless, the National Park Service is interested in receiving public comment on this regulation; interested persons may submit written comments or suggestions to the Director, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240. All comments received will be reviewed with regard to the need for any modifications in the regulation. Comments will be received until November 15, 1976.

Effective Date: This regulation shall become effective on October 15, 1976.

Part 2 of Title 36, Code of Federal Regulations is amended by the addition of § 2.38 as follows:

§ 2.38 Smoking in caves.

(a) The smoking of tobacco or the carrying of burning or smoldering tobacco is prohibited in all caves where the alpha radiation exposure to radon

daughter products is above 0.1 working levels (WL).

(b) Signs notifying the public, park employees, contractors, and concession employees of this prohibition shall be prominently displayed at cave entrances. Verbal notification of this prohibition shall be made during orientation programs prior to cave tours. Documentation of the specific needs for this prohibition shall be available for the inspection of persons requesting this information.

JOHN COOK,
Associate Director,
Park System Management.

[FR Doc.76-30282 Filed 10-14-76;8:45 am]

Title 40—Protection of Environment

CHAPTER 1—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 630-7]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Revocation of Gasoline Rationing Regulations

Under the Clean Air Act as amended in 1970, State Implementation Plans (SIP's) were required to contain all regulations necessary to attain the health-related national ambient air quality standards (NAAQS) no later than mid-1977. To the extent that State-developed SIP regulations are inadequate to insure such NAAQS attainment, the Act requires EPA to promulgate the necessary SIP regulations.

In 1973, EPA was required by Court orders to promulgate SIP regulations providing for timely attainment of the NAAQS for carbon monoxide and photochemical oxidants in certain areas of the United States. In response to these orders, EPA added to some SIP's a gasoline rationing regulation to take effect in 1977. This type of regulation was imposed only in those areas where EPA found that all reasonably available measures would not be adequate to attain the NAAQS by mid-1977.

At the time EPA promulgated the gasoline rationing regulations and several times since then, EPA has publicly stated that such regulations would produce extremely adverse social and economic consequences if implemented. Since EPA has had no desire to implement the regulations, EPA has since 1973 proposed and endorsed amendments to the Clean Air Act which would authorize their revocation. Over the last several months, new Clean Air Act amendments which would have authorized such a revocation passed both Houses of Congress (H.R. 10498 and S. 3219). Such authorization was retained in the compromise amendments approved by the House and Senate Conferees. On October 1, however, Congress adjourned without completing action on the new Clean Air Act amendments.

Since it appears quite unlikely that Congress will enact new legislation be-

fore implementation of the gasoline rationing regulations is scheduled to begin (certain reports are to be filed by March 1977 and full implementation is to occur in May 1977), and since EPA has no intention of implementing the regulations, I believe that EPA should revoke them now.

I realize that this revocation will render the affected SIP's defective as a legal matter, since such SIP's will no longer contain regulations which provide for NAAQS attainment. I am convinced, however, that whatever benefits may be gained from keeping a technically legal SIP on the books by retaining the gasoline rationing regulations are outweighed by the seriously disruptive social and economic consequences of such regulations.

This revocation should not be construed as indicating that EPA will accept SIP's which do not insure attainment of the health-related NAAQS on grounds of cost. In fact, EPA is currently in the process of notifying many States that their presently inadequate SIP's must soon be revised to include all achievable measures necessary to attain the NAAQS as expeditiously as practicable. Onerous, expensive, and/or "technology-forcing" requirements must be imposed wherever necessary. EPA's action today is thus a special case; it is being taken only because of the extraordinarily disruptive nature of the gasoline rationing regulations and because both Houses of Congress have affirmatively expressed their desire that such regulations not be implemented.

This revocation is effective October 15, 1976.

(Secs. 110, 301, Clean Air Act, as amended, (42 U.S.C. 1857c-5, 1857g).)

Dated: October 12, 1976.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart F—California

§ 52.241 [Revoked]

1. Section 52.241 is revoked.

Subpart G—Colorado

§ 52.330 [Revoked]

2. Section 52.330 is revoked.

Subpart V—Maryland

§ 52.1110 [Revoked]

3. Section 52.1110 is revoked.

Subpart FF—New Jersey

§ 52.1592 [Revoked]

4. Section 52.1592 is revoked.

Subpart SS—Texas

§ 52.2293 [Revoked]

5. Section 52.2293 is revoked.

[FR Doc.76-30317 Filed 10-14-76;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 51—COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Miscellaneous Amendments

A notice of proposed rulemaking was published in the FEDERAL REGISTER (41 FR 37343) on September 3, 1976, which would make the Committee Regulations 41 CFR Part 51 compatible with the new Government fiscal year and clarified the channels and timing for the submission of annual workshop certifications and workshop information required by the Committee to prepare its annual report required by section 1(i) of Pub. L. 92-28.

In addition to the proposed changes § 51-4.2(c) has been modified to reflect the new Federal fiscal year and in § 51-2.4 (a) and (c) the word "price" has been deleted since price is no longer published in the Procurement List as most prices changes at least twice each year as the result of the semiannual review of prices or significant changes in workshop costs.

No unfavorable comments have been received. The proposed regulations are hereby adopted as set forth below.

Effective date: October 15, 1976.

By the Committee.

C. W. FLETCHER,
Executive Director.

PART 51-1—GENERAL

1. Section 51-1.2 is amended by revising paragraph (c) and adding paragraph (o) as follows:

§ 51-1.2 Definitions.

(c) "Fiscal Year" means the 12-month period beginning on October 1 of each year.

(o) "Participating workshop" means any workshop which has been authorized by the Committee to produce a commodity or provide a service to the Government under the Act.

PART 51-2—COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

§ 51-2.4 [Amended]

2. Section 51-2.4 is amended by deleting the word "price" in paragraphs (a) and (c).

PART 51-3—CENTRAL NONPROFIT AGENCIES

3. Section 51-3.2 is amended by revising the last sentence of paragraph (j) and adding paragraph (k) as follows:

§ 51-3.2 Responsibilities.

(j) * * * This report will be submitted by December 15 covering the fiscal year ending the preceding September 30.

(k) Review and forward to the Committee by December 15 the annual workshop certification for each of its participating workshops covering the fiscal year ending the preceding September 30.

PART 51-4—WORKSHOPS

4. Section 51-4.2 is amended by revising paragraph (c) as follows:

§ 51-4.2 Procedures for qualification.

(c) To maintain its qualification under the Act, each workshop authorized to produce a commodity or provide a service under the Act must continue to meet the requirements of a "workshop for the blind" or "workshop for the other severely handicapped" as defined in § 51-1.2 (h) and (i) respectively and shall complete and submit an annual workshop certification to its central non-profit agency by November 15 for the fiscal year ending the preceding September 30.

5. Section 51-4.3 is amended by revising paragraph (a) (4) as follows:

§ 51-4.3 Responsibilities.

(a) * * *

(4) Submit to its central nonprofit agency by November 15 the appropriate annual workshop certificate and the information required by the central nonprofit agency to prepare its annual report both covering the fiscal year ending the preceding September 30.

[FR Doc. 76-30253 Filed 10-14-76; 8:45 am]

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

[Circular No. 2408]

PART 3100—OIL AND GAS LEASING

Bond Requirements

On November 25, 1975, there was published in the *FEDERAL REGISTER* (40 FR 54585) a proposed revision of the bonding procedures for oil and gas leasing activities to provide for adequate bonding and for a simple, modern method for requiring bonds consistent with the policy in the Mineral Leasing Act of February 25, 1920 (30 U.S.C. 181-287) and the Mineral Leasing Act for Acquired Lands of August 7, 1947 (30 U.S.C. 351-357). The public was given until December 26, 1975, to comment on the proposal. Nine comments were received and considered as follows.

Commenters suggested not deleting, as proposed, § 3104.9 which deals with exploration bonding requirements. It is planned to revise § 3104.9 under separate rulemaking action, at which time it will be placed in 43 CFR Part 3045. However, to preclude a possible void in the regulations between the two rulemaking actions, § 3104.9 is being retained in these regulations until changed by the separate rulemaking.

A suggestion to delete the words "geophysical exploration" from § 3104.2(a) was not adopted but the section was

clarified to show that the section relates to exploration by the lessee or the lessee's operator.

Several commenters thought that the proviso in § 3104.2(b) and § 3104.3 (a) and (b), that an operator's bond will not be accepted unless the operator holds an approved operating agreement, is a new procedure. The procedure is not new. It presently appears in 43 CFR subpart 3104. The procedure remains in the regulations.

It was suggested that in the definition of "operator" the words "manages operations" be changed to "conducts operations". This suggestion has been adopted.

A suggestion to change the term "unit bond" in § 3104.2(c) to "unit operator's bond" has been adopted. The suggestion to add the term "unit operator's bond" to § 3104.3 was not adopted because a unit operator's bond is unique to a unit and cannot be replaced with a statewide or nationwide bond.

Request was made to establish a maximum bond limit in § 3104.4 and to base an increase in a bond upon the sole determination of the Area Oil and Gas Supervisor. Neither suggestion was adopted. It is essential that the size of a bond remain flexible so that all situations may be covered. In addition, the authorized officer of the Bureau must also have the authority to increase the amount of a bond in order to fulfill the Bureau's responsibilities for the surface management of a mineral activity.

A suggestion was made for more specificity in § 3104.8 in identifying an acceptable alternative bond. The wording remains broad to give the authorized officer latitude in meeting all situations.

Except for the changes discussed and other minor editorial changes the amendment remains as proposed. The present §§ 3104.9, 3104.9-4, and 3104.9-5 are retained in their entirety. The remainder of 43 CFR Subpart 3104 is revised as set forth below and shall become effective on November 16, 1976.

CHRIS FARRAND,
Deputy Assistant Secretary
of the Interior.

OCTOBER 8, 1976.

1. The table of contents for Subpart 3104 is amended as follows:

Sections 3104.0-5 through and including § 3104.8 are revised to read as follows:

Subpart 3104—Bonds

Sec.	
3104.0-5	Definitions.
3104.1	Types of bonds.
3104.2	Types of coverage.
3104.3	Statewide and Nationwide bonds.
3104.4	Amount of bonds.
3104.5	Where filed and number of copies.
3104.6	Form of bonds.
3104.7	Default.
3104.8	Termination of period of liability.
3104.9	Exploration bond.
3104.9-4	Riders to existing bond forms.
3104.9-5	Termination of period of liability.

AUTHORITY: Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended and supplemented (30 U.S.C. 181-287) and the Mineral Leasing Act for Acquired Lands of August 7, 1947 (30 U.S.C. 351-357).

Subpart 3104—Bonds

§ 3104.0-5 Definitions.

For the purpose of this subpart: (a) "Operator" means the person authorized under the operating agreement approved by the Department to conduct operations on the leased land as specified in such agreement.

(b) "Unit Operator" means the person authorized under the unit agreement approved by the Department to conduct operations on unitized lands as specified in such agreement.

2. Sections 3104.1 through 3104.8 are revised to read as follows:

§ 3104.1 Types of bonds.

Bonds under this subpart must be either surety bonds or personal bonds.

(a) *Surety bond.* Surety bonds must be issued by qualified surety companies approved by the Treasury Department (see Department of the Treasury Circular 570, as revised periodically in the *FEDERAL REGISTER*).

(b) *Personal bond.* Personal bonds must be accompanied by a deposit as security therefor of negotiable Treasury bonds of the United States or cash of a value equal to the amount specified in the bond. Negotiable Treasury bonds must be accompanied by a proper conveyance to the Secretary of full authority to sell such securities in case of default in the performance of the terms and conditions of the lease.

§ 3104.2 Types of coverage.

(a) *General lease and drilling bond.* A general lease and drilling bond in the amount of not less than \$10,000, conditioned upon compliance with all the terms and conditions of the lease must be furnished prior to entry and commencement of geophysical exploration or drilling operations by the lessee or his operator.

(b) *Operator's bond.* An operator's bond in the amount of not less than \$10,000, conditioned upon compliance with all the terms and conditions of the lease, may be furnished in lieu of a general lease and drilling bond. Where there are two or more operators having interests in different formations or portions of the lease, each operator may file an operator's bond in his own name as principal on the bond in lieu of the general lease and drilling bond. In any event, every operator shall be covered by either a general lease and drilling bond or an operator's bond.

(c) *Unit operator's bond.* The approved unit operator may furnish and maintain a unit operator's bond conditioned upon faithful performance of the duties and obligations of the agreement and the terms and conditions of every lease subject thereto in lieu of a separate general lease and drilling bond or operator's bond for each lease committed to the unit agreement. All unit operator's bonds must be furnished upon request and in at least the amount recommended by the Area Oil and Gas Supervisor. (See 30 CFR § 226.15 for form of Unit Operator's bond.)

(d) *Bond for the protection of the surface owner.* Separate bonds for the protection of surface owners are no longer required. Adequate protection of surface owners is provided by bonds required from either the lessees, operators, or unit operators.

§ 3104.3 Statewide and Nationwide bonds.

(a) *Statewide bond.* In lieu of general lease and drilling bonds and operator's bonds, holders of leases or approved operating agreements, may furnish a bond in the amount of at least \$25,000 covering all leases and operations in any one State under either the Mineral Leasing Act of 1920 or the Mineral Leasing Act for Acquired Land of 1947. Operators functioning under both Acts will be required to furnish separate bonds.

(b) *Nationwide bond.* In lieu of general lease and drilling bonds, operator's bonds, or statewide bonds, holders of leases or approved operating agreements may furnish a bond in the amount of at least \$150,000 covering all leases or operations nationwide under both the Mineral Leasing Act of 1920 and the Mineral Leasing Act for Acquired Lands of 1947.

§ 3104.4 Increased amount of bonds.

The authorized officer, on his own motion or upon the recommendation of the Area Oil and Gas Supervisor, may elect to increase the amount of any bonds required under this Subpart 3104 when additional coverage is determined appropriate.

§ 3104.5 Where filed and number of copies.

All bonds must be filed in the proper office (See Part 1820). A single copy executed by the principal and, in the case of surety bonds, by both the principal and an acceptable surety is sufficient.

§ 3104.6 Form of bonds.

All bonds must be furnished on forms approved by the Director.

§ 3104.7 Default.

(a) *Payment by surety.* Where, upon a default, the surety makes payment to the Government of any obligation incurred under a lease, the face amount of the surety bond or personal bond and the surety's liability thereunder shall be reduced by the amount of such payment.

(b) *Penalty.* After default, upon penalty of cancellation of all of the leases covered by such bond, that principal shall post a new bond in the amount previously held by the Government, within 6 months after notice, or within such shorter period as the authorized officer of the Bureau of Land Management may fix. However, in lieu thereof, the principal may within that time file separate or substitute bonds for each lease or operating agreement. Where a bond is furnished by an operator or unit operator, suit may be brought thereon without joining the lessee when not a party to the bond.

§ 3104.8 Termination of period of liability.

The authorized officer will not give consent to termination of the period of liability of any bond unless an acceptable alternative bond has been filed or until all the terms and conditions of the lease have been met.

[FR Doc.76-30193 Filed 10-14-76;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Rev. S. O. No. 995-A]

PART 1033—CAR SERVICE

Appointment of Embargo Agents

At a session of the Interstate Commerce Commission, Division 3, held in Washington, D.C., on the 7th day of October 1976.

Upon further consideration of Revised Service Order No. 995 (35 FR 7016; 36 FR 23726; 37 FR 28301; 38 FR 35002; 39 FR 44011 and 40 FR 59744), and good cause appearing therefor:

It is ordered, That § 1033.995 Revised Service Order No. 995-A—(Appointment of embargo agents), be, and it is hereby, vacated and set aside.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies secs. 1(10-17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10-17), 15(4), 17(2)).)

It is further ordered, That this order shall become effective at 11:59 p.m., October 12, 1976; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3, Commissioners Brown, MacFarland and Clapp.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-30321 Filed 10-14-76;8:45 am]

[Rev. S. O. No. 1002-A]

PART 1033—CAR SERVICE

Car Distribution Directions, Appointment of Agents

At a session of the Interstate Commerce Commission, Division 3, held in Washington, D.C., on the 7th day of October 1976.

Upon further consideration of Revised Service Order No. 1002 (35 FR 7016; 36 FR 23803; 37 FR 28301; 38 FR 35002; 39

FR 44011; and 40 FR 59744), and good cause appearing therefor:

It is ordered, That: § 1033.1002-A Revised Service Order No. 1002-A—Car distribution directions—appointment of agents be, and it is hereby, vacated and set aside.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies secs. 1(10-17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10-17), 15(4), 17(2)).)

It is further ordered, That this order shall become effective at 11:59 p.m., October 7, 1977; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3, Commissioners Brown, MacFarland and Clapp.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-30323 Filed 10-14-76;8:45 am]

[S. O. No. 1253]

PART 1033—CAR SERVICE

Appointment of Embargo Agents

At a session of the Interstate Commerce Commission, Division 3, held in Washington, D.C., on the 7th day of October 1976.

It appearing, that the matter of car service (Section 1, Paragraphs 10-17, inclusive, of the Interstate Commerce Act) being under consideration, it is the opinion of the Commission that whenever any carrier by railroad, subject to Part I of the Interstate Commerce Act, is unable to control freight traffic movements, because car accumulations, threatened congestions, or other interferences of a temporary nature compel restrictions against car movements, car service will be promoted in the interest the public and the commerce of the people by the appointment of agents with authority to direct the placement of embargoes; that notice and public procedures are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1253 Service Order No. 1253.

(a) *Appointment of embargo agents.* Joel E. Burns, Director, and Lewis R. Teeple, Assistant Director, Bureau of Operations, Interstate Commerce Commission, Washington, D.C., are hereby appointed Agents of the Interstate Commerce Commission and vested with authority to direct the placement of embargoes by railroads at such points where

freight cars are being unduly delayed due to accumulations, congestions, or emergency situations.

(b) Embargoes placed under this order shall be at the direction of the Agents of the Commission and shall be published through the Association of American Railroads, Car Service Division, and in conformity with Rule 16 of the "Code of Car Hire Rules and Interpretations—Freight" of the Association of American Railroads and of Circular CSD-87, Sixth Revision, both published in the official Railway Equipment Register, ICC-RER No. 400 issued by W. J. Trezise, or successive issues or re-issues thereof.

(c) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign traffic.

(d) *Rules, Regulations, and Practices Suspended.* The operation of all rules, regulations, and practices insofar as they conflict with the provisions of this order, is hereby suspended.

(e) *Effective date.* This order shall become effective at 11:59 p.m., October 12, 1976.

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., October 31, 1977, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10-17), 15(4), 17(2)).)

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3, Commissioners Brown, MacFarland and Clapp.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-30320 Filed 10-14-76;8:45 am]

[S.O. No. 1252]

PART 1034—ROUTING OF TRAFFIC

Rerouting of Traffic, Appointment of Agents

At a session of the Interstate Commerce Commission, Division 3, held in Washington, D.C., on the 7th day of October 1976.

It appearing, That the matter of car service (Section 1, Paragraphs 10-17, inclusive, of the Interstate Commerce Act) being under consideration, it is the opinion of the Commission that whenever any carrier by railroad, subject to Part I of the Interstate Commerce Act, is, for any reason, unable to transport traffic offered, car service will be promoted in the interest of the public and the com-

merce of the people by the appointment of agents with authority to reroute and divert such traffic; that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

§ 1034.1252 Service Order No. 1252.

(a) Rerouting of traffic—appointment of agents. Joel E. Burns, Director, and Lewis R. Teeple, Assistant Director, Bureau of Operations, Interstate Commerce Commission, Washington, D.C., are hereby appointed Agents of the Interstate Commerce Commission and vested with authority to authorize diversion and rerouting of loaded and empty freight cars from and to any point in the United States whenever, in their opinion, an emergency exists whereby any railroad is unable to move traffic currently over its lines.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(c) *Effective date.* This order shall become effective at 11:59 p.m., October 12, 1976.

(d) *Expiration date.* This order shall expire at 11:59 p.m., October 31, 1977, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies secs. 1(10-17), 15(4) and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10-17), 15(4), 17(2)).)

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3, Commissioners Brown, MacFarland and Clapp.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-30322 Filed 10-14-76;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 32—HUNTING

Opening of Lake Alice National Wildlife Refuge, North Dakota to the Hunting of Migratory Game Birds, Upland Game and Big Game

On August 30, 1976, there was published in the FEDERAL REGISTER (No. 41 FR 36518) a notice of proposed rulemaking adding Lake Alice National Wildlife Refuge, North Dakota, to the list of refuge areas which are open for

the hunting of migratory game birds, upland game, and big game. These lists are published at 50 CFR 32.11, 32.21 and 32.31. As a general rule, most areas within the National Wildlife Refuge System are closed to hunting until officially opened by regulation.

Pursuant to the authority of 16 U.S.C. 668dd(d), as redelegated to the Director of the United States Fish and Wildlife Service at DM 242.1.1, the Director has determined that the opening of Lake Alice National Wildlife Refuge to public hunting would not be contrary to the provisions of law applicable to the areas, would be compatible with the principles of sound wildlife management, would be in the public interest and would not be detrimental to the objectives for which the area was established.

The public was provided a 30-day comment period and was advised that an environmental assessment had been prepared on the proposal and was available for public inspection.

No comments were received on the proposed rulemaking.

Based on the preceding and an evaluation of the environmental assessment, it has been determined that the hunting of migratory game birds, upland game and big game on Lake Alice National Wildlife Refuge, North Dakota, is not a major Federal action which would significantly affect the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(c)). The preparation of an environmental impact statement on the proposed action is, therefore, not required.

Accordingly, the proposed rulemaking is hereby adopted without change and §§ 32.11, 32.21 and 32.31 are amended as set forth below:

§ 32.11 List of open areas; migratory game birds.

NORTH DAKOTA

LAKE ALICE NATIONAL WILDLIFE REFUGE

§ 32.21 List of open areas; upland game.

NORTH DAKOTA

LAKE ALICE NATIONAL WILDLIFE REFUGE

§ 32.31 List of open areas; big game.

NORTH DAKOTA

LAKE ALICE NATIONAL WILDLIFE REFUGE

Effective date: Because of the time limitations involved with rapid approach of the State hunting season, and the need to coordinate state and federal hunting regulations and seasons, the U.S. Fish and Wildlife Service has concluded that "good cause" exists within the meaning of section 553(d)(3) of the Administrative Procedures Act to expedite the implementation of this rulemaking. Therefore, this rulemaking will become effective immediately upon publication.

Dated: October 7, 1976.

LYNN A. GREENWALT,
Director, U.S. Fish and
Wildlife Service.

[FR Doc.76-30210 Filed 10-14-76;8:45 am]

CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 216—REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

Prohibition on Encircling Marine Mammals in the Course of Fishing Operations for Yellowfin Tuna

On December 5, 1975, the Director, National Marine Fisheries Service promulgated amendments to regulations, § 216.24, 40 FR 56899 governing the incidental taking of marine mammals in the course of commercial fishing operations during 1976.

On June 11, 1976 (41 FR 23680), the Director announced a limit of 78,000 porpoises that may be killed in 1976 pursuant to the general permit issued to the American Tunaboat Association. Accordingly, § 216.24(d) (2) (i) (A) was amended to establish a 78,000 quota and provide a notice 30 days prior to the date upon which a prohibition on encircling porpoise is to become effective.

On July 27, 1976 (41 FR 31227), the Director proposed to adopt a method by which the National Marine Fisheries Service would determine when the limit would be reached and further setting on porpoise would be prohibited, and to amend § 216.24(d) (2) (i) (A) to provide a notice 7 days prior to the date upon which a prohibition is to become effective.

On October 4, 1976 (41 FR 43726), the Director adopted as final the method for determining the date when the 78,000 limit would be reached and amended the regulations to provide for a notice 7 days prior to the date when a prohibition is to be effective.

Based on information gathered by National Marine Fisheries Service observers and utilizing the adopted method to determine when the limit will be reached, the National Marine Fisheries Service has determined that 78,000 porpoise will have been killed by U.S. vessels by October 19, 1976. The total mortality for 1976 which was projected on August 31, 1976 had been below 70,000; however, due to unusually heavy porpoise fishing which occurred in September, the limit is now projected to be reached by October 19, 1976. Because of the necessity to provide notice to each of the affected U.S. vessels, many of them thousands of miles at sea, the regulations adopted on October 4, 1976 provided for 7 days FEDERAL REGISTER notice prior to the effective date of prohibition. Therefore, effective 0001 October 22, 1976, marine mammals may not be encircled by purse seine in the course of yellowfin tuna purse seine fishing. The calculation of the projected mortality by October 19, 1976 is as follows:

Estimated mortality through Sept. 30, 1976 ¹	71,557
Historical average U.S. catch of yellowfin on porpoise in October is 8,813 tons; 1.23 (average kill per ton) equals projected kill for October	10,962

Estimated cumulative mortality through October	82,519
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¹Utilizing the prorating procedures adopted, it is projected that 78,000 will be reached by October 19, 1976.

Because of the necessity to provide a seven day notice to U.S. vessels, the prohibition is being imposed two days later than the date when the total is projected to be reached, resulting in slightly exceeding the 78,000 limit.

Copies of the detailed computation are available for review at the Office of the Director of the Southwest Fisheries Center, La Jolla, California.

By this publication, the American Tunaboat Association and holders of certificates of inclusion are hereby notified that effective 0001 October 22, 1976, the limit of 78,000, which is a condition of the general permit, in 1976 will have been reached and therefore certificates of inclusion issued under the general permit are no longer valid for encircling or taking porpoise as of October 22, 1976.

All daily log sheets required by 50 CFR 216.24(d) (2) (i) (B) (iii) outstanding as of October 22, 1976, must be mailed or delivered to the Regional Director, Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, California 90731 on October 22, 1976, or as soon thereafter as practicable.

Observers have been placed aboard U.S. tuna purse seine vessels under the authority of the general permit to record information regarding porpoise mortality. Because the general permit no longer permits encircling or taking of porpoise, there is no clear signal authority for the NMFS to require that the observers be kept on U.S. tuna purse seine vessels.

U.S. tuna purse seine vessels may return National Marine Fisheries Service scientific observers and gear technicians on board purse seine vessels at sea on October 22, 1976, at no cost to the Federal government, to the port of departure, any U.S. port, or any of the following ports: Mazatlan, Mexico; Acapulco, Mexico; Puntarenas, Costa Rica; Balboa, Canal Zone; or Honolulu, Hawaii; or may be returned at the end of the voyage, at the pleasure of the vessel captain.

Yellowfin tuna caught in association with marine mammals after October 21, 1976, may not be imported into the United States. Section 216.24(e) (3) (v) is amended to reflect this change. It should be noted, however, that yellowfin tuna not caught in association with marine

mammals may continue to be imported under the provisions of paragraph (e).

Nations that have filed certificates will be requested to reaffirm their certifications for shipments after October 21, 1976, and nations importing yellowfin under individual shipment certifications under § 216.24(e) (3) (iv) will be required to state whether the vessels which caught the fish in the shipment did or did not encircle or take marine mammals.

The conditions under which other species of fish may be imported are not affected by this amendment.

The amendments to part 216 are effective October 22, 1976.

Dated: October 13, 1976.

JACK W. GEHRINGER,
Deputy Director,
National Marine Fisheries Service.

§ 216.24 [Amended]

Section 216.24(e) (3) (v) is amended by deleting the period from the sentence ending with ("January 22, 1974") and adding in lieu thereof: ", or (3) if the yellowfin tuna was caught subsequent to October 20, 1974, and prior to October 22, 1976, that the yellowfin tuna was caught in conformance with the regulations pertaining to purse seining in effect for that period of time."

[FR Doc.76-30390 Filed 10-14-76;8:45 am]

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

PART 230—NONFOOD ASSISTANCE PROGRAM

Appendix—Initial Apportionment of Non-food Assistance Funds Pursuant to Child Nutrition Act of 1966, for the Transition Quarter July 1–September 30, 1976

Correction

In FR Doc. 76-28497, appearing on page 43388 in the issue of Friday, October 1, 1976, in the second column, in table Section 5(b) the entry for South Carolina should read:

South Carolina..	92,571	91,807	764
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CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Lemon Reg. 62]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period October 17–23,

1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.362 Lemon Regulation 62.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(1) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons early this week is steady.

Average f.o.b. price was \$5.94 per carton the week ended October 9, 1976, compared to \$5.90 per carton the previous week. Track and rolling supplies at 80 cars were up 5 cars from last week.

(1) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during

the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 12, 1976.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period October 17, 1976, through October 23, 1976, is hereby fixed at 200,000 cartons.

(2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.)

Dated: October 14, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[FR Doc.76-30543 Filed 10-14-76; 11:29 am]

[Lime Reg. 27, Amdt. 8]

PART 911—LIMES GROWN IN FLORIDA Container Regulation

This amendment to the current container regulation permits the handling of fresh Florida limes in two sizes of 10-pound containers on and after October 18, 1976. The current container regulation suspends the use of 10-pound containers during the period August 29 through October 30, 1976. The amended regulation continues to authorize the use of six containers with minimum content requirements of 20 pounds and 38 pounds net weight of limes.

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Florida Lime Administrative Committee, established under the said amended marketing agreement and

order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The amendment reflects the Department's appraisal of present and prospective marketing conditions for limes. Indications are that permitting the handling of limes in 10-pound containers on and after October 18 will help maintain sales during the period when the price of limes is seasonally higher. The sale of limes in the smaller 10-pound containers should encourage purchases, particularly by those segments of the trade such as small retailers and institutional customers. Hence, the action would contribute to orderly marketing of limes and be in the public interest.

After consideration of all relevant matters presented, including the recommendations and information submitted by the committee, and other available information, it is hereby found that the amendment hereinafter set forth is in accordance with the provisions of said amended marketing agreement and order; and such amendment will tend to effectuate the declared policy of the act with respect to effectuating orderly marketing in the public interest.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of limes by authorizing the use of two sizes of 10-pound containers.

Order. The provisions of paragraph (a) (2) of § 911.329 (Lime Regulation 27; 38 FR 12323, 15726; 41 FR 15685, 19209, 30343, 36013) are hereby amended to read as follows:

§ 911.329 Lime Regulation 27.

(a) (1) * * *

(2) On and after October 18, 1976, no handler shall handle between the production area and any point outside thereof any variety of limes, grown in the production area, in individual bags having a capacity of more than 4 pounds net weight of limes.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.)

Dated: October 12, 1976, to become effective October 18, 1976.

CHARLES R. BRADER,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[FR Doc.76-30288 Filed 10-14-76; 8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF STATE

[22 CFR Part 42]

[S.D. 123]

INELIGIBLE CLASSES OF IMMIGRANTS

Proposed Rulemaking; Extension of Time for Comments

Notice is hereby given that the closing date for the submission of written comments concerning the notice of proposed rulemaking issued September 7, 1976 (41 FR 37591-92) concerning amendments in the public charge regulations is extended from October 15, 1976 to December 1, 1976. This extension of time has been granted at the request of the American Council of Voluntary Agencies for Foreign Service, Inc., and the Association of Immigration and Nationality Lawyers to allow them and other interested parties additional time for research and correlation of their comments.

LEONARD F. WALENTYNOWICZ,
Administrator, Bureau of Security and Consular Affairs,
Department of State.

OCTOBER 12, 1976.

[FR Doc.76-30384 Filed 10-14-76;8:45 am]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 1, 31]

INCOME AND EMPLOYMENT TAXES

Treatment of Original Issue Discount Realized by Nonresident Alien Individuals or Foreign Corporations and Denial of DISC Benefits With Respect to Energy Resources and Certain Other Products; Public Hearings

Public hearings on the provisions of the below-listed proposed regulations will be held on November 18, 1976, beginning at 10 a.m. in the IRS Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue, N.W., Washington, D.C. 20224. The public hearings will be in respect to:

(1) Proposed regulations under sections 871, 881, 1441, and 1442 and 3401 of the Internal Revenue Code of 1954, relating to treatment of original issue discount realized by nonresident alien individuals or foreign corporations, appearing in the FEDERAL REGISTER for July 12, 1976 (41 FR 28517).

(2) Proposed regulations under section 993 of the Internal Revenue Code of 1954, relating to the denial of DISC benefits with respect to energy resources and certain other products, appearing in the FEDERAL REGISTER for June 29, 1976 (41 FR 26695).

The rules of § 601.601 (a) (3) of the "Statement of Procedural Rules" (26 CFR Part 601) shall apply with respect to such public hearings. Copies of these rules may be obtained by a request directed to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, or by telephoning (Washington, D.C.) 202-964-3935. Under such § 601.601 (a) (3) persons who have submitted written comments within the time prescribed in the respective notices of proposed rulemaking and who desire to present oral comments at the respective hearing on such proposed regulations, should submit an outline of the comments to be presented at the hearing and the time they wish to devote to each subject by November 9, 1976. Such outlines should be submitted to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224. Under § 601.601 (a) (3) (26 CFR Part 601) each speaker will be allowed 10 minutes for an oral presentation on each of the above-listed proposed regulations for which he or she has submitted timely comments, exclusive of time consumed by questions from the panel for the Government and answers thereof.

Persons who desire a copy of such written comments or outlines and who desire to be assured of their availability on or before the beginning of such hearings should notify the Commissioner, in writing, at the above address by November 12, 1976. In such a case, unless time and circumstances permit otherwise, the desired copies are deliverable only at the above address. The charge for copies is ten cents (\$0.10) per page.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of this agenda will be available free of charge at the hearing, and information with respect to its contents may be obtained on November 17, 1976, by telephoning (Washington, D.C.), 202-964-3935.

JAMES F. DRING,
Director, Legislation
and Regulations Division.

[FR Doc.76-30307 Filed 10-14-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Parts 3500, 3520]

COAL LEASES

Diligent Development and Continued Operation

On August 4, 1976, the Federal Coal Leasing Amendments Act of 1975, Pub. L. 94-377, 90 Stat. 1083, became law. Many of the coal leasing regulations re-

cently promulgated by the Department must be revised to conform to the new statutory provisions. Amendments to the regulations on diligent development and continuous operations published on May 28, 1976 (41 FR 21779), have been prepared and are now published as proposed rulemaking.

It has been determined that the new statutory requirements will be applicable to all leases issued after August 4, 1976, and to all existing leases at the next readjustment of terms and conditions. However, the new statutory requirements are not made applicable to existing leases prior to their next readjustment, and, accordingly, the proposed regulations reflect the fact that the provisions applicable to existing coal leases prior to the time of readjustment may differ from those applicable to all leases issued or readjusted after August 4, 1976.

Interested persons are invited to submit their comments in writing to the Director, Bureau of Land Management, Department of the Interior, Washington, D.C. 20240, on or before November 29, 1976. Comment is particularly requested on the definitions of "diligent development" and "continued operation".

Under the authority granted under section 32 of the Mineral Leasing Act, 30 U.S.C. 189, it is proposed that 43 CFR Subparts 3500, 3503, 3520, 3522 and 3523 be amended, as follows:

1. Paragraphs (d), (e), (f), and (g) of 43 CFR 3500.0-5 are hereby revised as follows:

§ 3500.0-5 Definitions.

(d) *Logical Mining Unit (LMU)*. A Logical Mining Unit or LMU is an area of coal land that can be developed and mined in an efficient, economical, and orderly manner with due regard to the conservation of coal reserves and other resources. An LMU may consist of one or more Federal leaseholds, and may include intervening or adjacent non-Federal lands, but all lands in an LMU must be contiguous, under the effective control of a single operator, and capable of being developed and operated as a unified operation with complete extraction of the LMU reserves within 40 years from the first approval of a mining plan for that LMU. For purposes of this paragraph (d) "contiguous" shall mean having at least one point in common. No LMU other than one approved before August 4, 1976, shall exceed 25,000 acres, including both Federal and non-Federal coal deposits.

(e) *Logical Mining Unit (LMU) Reserves*. LMU Reserves are defined as being equal to the sum of (1) estimated recoverable reserves under Federal lease

in the LMU, and (2) estimated non-Federal recoverable reserves in the LMU which will be mined prior to the extraction of all estimated Federal reserves in the LMU. The LMU reserves associated with a Federal lease are the estimated LMU reserves as of the effective date of the approval of the LMU, of which that lease is a part, except that the estimate of LMU reserves under both subparagraphs (1) and (2) of this paragraph may be adjusted by the Mining Supervisor whenever he approves a modification of the LMU boundaries, whenever the lessee surrenders deposits subject to a lease in the LMU, or whenever significant new information becomes available about the amount of such reserves, including the time at which a mining plan is approved.

(f) *Diligent Development.* (1) Diligent development of any Federal coal lease issued or readjusted after August 4, 1976, means the timely preparation for and initiation of production of coal from the LMU of which the lease is a part so that coal is actually produced in commercial quantities by the end of the tenth year from the effective date of the lease in the case of a lease issued after August 4, 1976, or by June 1, 1986, in the case of a lease issued before August 4, 1976, unless the period of time during which diligent development had to be achieved on a lease issued prior to August 4, 1976, has been extended pursuant to subparagraph (2) of this paragraph in which case the period of time authorized thereunder may continue in effect, but not beyond August 4, 1986, or the date on which the lease terms first become subject to readjustment after August 4, 1976, whichever is later. For the purpose of this subparagraph (1), coal will be deemed to have been produced in commercial quantities if one percent of the LMU reserves associated with that lease are extracted by the end of the tenth year from the effective date of the lease, if the lease was issued after August 4, 1976, or by June 1, 1986 (or a later date if authorized under the immediately preceding sentence), if the lease was issued before August 4, 1976.

(2) Diligent development of any coal lease which was issued before August 4, 1976, and the terms and conditions of which have not been readjusted since that date means the timely preparation for and initiation of production of coal from the LMU of which the lease is a part so that coal is actually produced in commercial quantities before June 1, 1986, except that the period of time during which production of coal in commercial quantities must be achieved may be extended as provided below. For the purpose of this subparagraph (2) coal will be deemed to have been produced in commercial quantities if one-fortieth of the LMU reserves associated with that lease are extracted before June 1, 1986, or such later date as may be prescribed under this subdivision. The period of time during which production in commercial quantities must be achieved may be extended as provided below, but in no event beyond August 4, 1986, or the date on

which the lease terms first become subject to readjustment after August 4, 1976, whichever is later:

(i) Upon application by the lessee, the period by the end of which development must have been achieved shall be increased by an amount of time equal to the period during which diligent development is, in the opinion of the Secretary, significantly impaired by (A) a strike, the elements, or casualties not attributable to the lessee, (B) an administrative delay in the Department which is not caused by the lessee's action, or (C) extraordinary circumstances not attributable to the lessee and not foreseeable by a reasonably prudent operator. In the determination of whether any of the conditions listed in subdivisions (A)-(C) of this subdivision occurred and whether one or more of those conditions did in fact significantly impair diligent development, the Secretary's finding shall be final. The Secretary shall, however, not find to be an extraordinary circumstance under (C) any condition arising out of normally foreseeable business risks such as: Fluctuations in prices, sales, or costs, including foreseeable costs of compliance with requirements for environmental protection; commonly experienced delays in delivery of supplies or equipment; or inability to obtain sufficient sales.

(ii) Upon application by the lessee, the Secretary may grant one extension, not exceeding five years, of the ten-year period within which diligent development must be achieved. An extension may be granted when the lessee shows to the satisfaction of the Secretary that diligent development cannot be achieved within the ten-year period because of (A) time needed to complete development of advanced technology, e.g., in situ, gasification or liquefaction processes; (B) the large magnitude of the project (ordinarily large magnitude means a mine in which the production in the first year after the end of the extended period for diligent development is expected to be at least two million tons if an underground mining operation or five million tons if a surface mining operation); or (C) a contract or its equivalent which is a firm commitment for the sale or use of the first one-fortieth of the LMU reserves after the ten-year period. Irrespective of the reason for granting an extension, the lessee must produce the first one-fortieth of the LMU reserves before the end of the extension.

(iii) At the time when the Secretary grants any extension of time for achieving diligent development under subdivision (i) or (ii) of this subparagraph (2), he shall notify the lessee of the revised date by which diligent development must be achieved.

(g) *Continued Operation.* Continued operation means the extraction, processing, and marketing of coal in the amount of one percent of all the LMU reserves associated with the lease for each of the first two years of continued operation and an annual average amount of one percent of all the LMU reserves associated with the lease for all years after the first two years of continued opera-

tion. The annual average amount shall be computed on a three year basis, and the three-year period for which the average shall be computed shall consist of the year in question and the two preceding years.

2. 43 CFR 3503.3-2(b) (1) is amended to read as follows:

§ 3503.3-2 General statement on royalties.

* * * *

(b) * * *

(1) The Mining Supervisor shall have discretion, upon the request of the lessee, to authorize the payment of an advance royalty in lieu of continued operation for any particular year. Each lease issued or readjusted after August 4, 1976, shall make provision for this annual advance royalty which shall be based on a minimum number of tons of coal; for any lease issued after August 4, 1976, the minimum number of tons shall be determined on a schedule sufficient to exhaust the leased reserves in 40 years from the date of approval of the mining plan for the LMU of which the lease is a part; for any lease issued before August 4, 1976, the minimum number of tons shall be determined on a schedule sufficient to exhaust the leased reserves in 40 years from June 1, 1976. Advance royalties shall not be paid for more than ten years in all during the life of any lease, including the life of the lease after readjustment.

3. 43 CFR 3520.2-1 is amended by the addition of the following:

§ 3520.2-1 Duration of leases.

* * * *

(a) * * *

(3) *Coal.* A coal lease shall be for a period of 20 years and as long as thereafter as coal is produced annually in commercial quantities from that lease or the LMU of which it is a part. As the term "commercial quantities" is used in this subparagraph (3) it means quantities of coal sufficient to meet the requirements for continued operation under § 3500.0-5(g) of this chapter. Any coal lease which is issued or readjusted after August 4, 1976 and on which diligent development has not been achieved by the end of the tenth year from the effective date of the lease or by June 1, 1986 (or such other date as may be provided under § 3500.0-5(f) (2) of this chapter), whichever is later, will automatically terminate.

4. 43 CFR 3520.2-5 is amended to read as follows:

§ 3520.25 Coal: Diligent development and continued operation.

Section 7 of the Mineral Leasing Act (30 U.S.C. 207) provides that each coal lease shall require:

(a) Diligent development; and

(b) Either continued operation or, in lieu thereof, an annual advance royalty on a minimum number of tons of coal, except that advance royalties may not be paid in lieu of continued operation for more than ten years. Each lease will become subject to the requirement of con-

tinued operation beginning with the year after the achievement of diligent development, and shall remain subject to the requirement of continued operation except when operations under the lease are interrupted by strikes, the elements, or casualties not attributable to the lessee. However, the Secretary has determined that the public interest will be served by authorizing the Mining Supervisor to permit the payment of an annual advance royalty in lieu of continued operation for any particular year. The payment of annual advance royalties is described in § 3503.3-2(b)(1) of this chapter.

5. 43 CFR Subpart 3520 is amended by adding the following:

§ 3520.2-6 Coal: Logical mining unit.

(a) *Establishment and modification of logical mining units.* Every Federal coal lease will automatically be considered by itself an LMU as of the effective date of the lease or June 1, 1976, whichever is later, unless it is included in an LMU with other Federal coal leases or with interests in non-Federal coal deposits, or both. An LMU containing any interest other than a single Federal lease will become effective only at the direction of the Mining Supervisor or upon its approval by the Mining Supervisor where it is requested by the lessee; the Mining Supervisor shall not direct or approve the establishment of such an LMU unless he has determined that the maximum economic recovery of all Federal deposits in the LMU will be served thereby. The boundaries of an LMU may later be changed either upon application by the lessee and with the approval of the Mining Supervisor after consultation with the authorized officer or by direction of the Mining Supervisor after consultation with the authorized officer.

(b) *Amendment of lease terms.* When a Federal coal lease is included in an LMU with other Federal coal leases or with interests in non-Federal coal deposits, the terms and conditions of the lease will be amended so that they are not inconsistent with the requirements imposed on that LMU of which it has become a part. In particular, diligent development, production in commercial quantities, and continued operation anywhere within the LMU, with respect to either Federal or non-Federal coal deposits, shall be deemed to have occurred on each Federal lease in the LMU. The rental and royalty payments on all Federal leases in an LMU shall be combined and advanced royalties paid on any Federal lease in that LMU may, at the request of the operator of the LMU, be credited against those combined royalties.

(c) *Computation of LMU reserves.* When the Mining Supervisor is determining the LMU reserves, he shall consult the lessee as to any deposits (such as deposits in specified strata) subject to his lease which the lessee does not intend to mine and the rights to which the lessee is prepared to surrender in order to decrease the LMU reserves upon which

the requirements of diligent development, production in commercial quantities, and continued operation will be based. The lessee may surrender his rights to any deposits, and, if he does so, the LMU reserves shall be adjusted.

6. 43 CFR 3522.2-1 is amended to read as follows:

§ 3522.2-1 Terms and conditions.

(a) *Potassium and phosphate.* The terms and conditions of potassium and phosphate leases are subject to readjustment at the end of each 20-year period succeeding the effective date of the lease unless otherwise provided by law at the time of the expiration of such periods. Before the expiration of each 20-year period, whenever feasible, the lessee will be notified of the proposed readjustment of terms or notified that no readjustment is to be made. Within 30 days after receipt of the notice, unless the lessee files his objection to the proposed readjusted terms, or the lessee files a relinquishment of the lease, he will be deemed to have agreed to such readjusted terms.

(b) *Coal.* All coal leases will be subject to readjustment at the end of the first 20-year period following the issuance of the lease and at the end of each ten-year period thereafter. Before the expiration of the initial 20-year period or any succeeding 10-year period thereafter, the authorized officer shall, if it is feasible, notify the lessee of any proposed readjustment of terms and conditions or that no readjustment will be made. Unless the lessee within 30 days after receipt of notice of any proposed readjustment from the authorized officer files either an objection to the proposed readjustment or a relinquishment of his lease, he will be deemed to have agreed to the readjusted terms. At the time for their next scheduled readjustment of terms and conditions, all coal leases will be readjusted, if necessary, by the addition of provisions consistent with § 3503.3-2(b)(1) of this chapter so that they authorize advance royalties. The percentages of reserves on which the advance royalty for the years following the readjustment of terms for leases issued before August 4, 1976, will be based, will be the same percentages as those appropriate for a lease dated June 1, 1976. No lessee will be allowed to credit against production royalties due after the twentieth year of a lease any advance royalties paid during the first 20 years of that lease. If the date on which a coal lease became liable for readjustment of terms and conditions occurred before August 4, 1976, but the authorized officer prior to that date neither readjusted the terms and conditions nor informed the lessee that no readjustment would be made, the terms and conditions of that lease shall be readjusted to conform to the requirements of the Federal Coal Leasing Amendments Act of 1975.

7. 43 CFR 3523.2-1(b)(1) is amended by the insertion of "(d)" after the word

"Coal" and by adding the following subdivisions (ii) and (iii):

§ 3523.2-1 Judicial proceedings.

(b) * * *

(1) * * *

(ii) Any coal lease issued or readjusted on or after August 4, 1976, on which the lessee does not meet diligent development requirements will terminate automatically. Any other coal lease on which the lessee does not meet diligent development requirements will be subject to cancellation in whole or in part. Any coal lease on which the lessee does not meet either continued operation or advance royalty requirements will be subject to cancellation in whole or in part. In deciding whether to cancel a lease under this subdivision (ii), the Secretary will not consider adverse circumstances which arise out of: (A) Normally foreseeable costs of compliance with requirements for environmental protection; (B) commonly experienced delays in delivery of supplies or equipment; or (C) inability to obtain sufficient sales. The requirements as to notice included in subdivision (i) of this subparagraph are applicable to cancellations under this subdivision (ii) also.

(iii) Should a lease be cancelled or relinquished for any reason, all rentals and royalties, including advance royalties already paid or due, will be forfeited to the United States.

Approved: October 8, 1976.

W. W. LYONS,
Deputy Under Secretary
of the Interior.

[FR Doc.76-30217 Filed 10-14-76; 8:45 am]

Fish and Wildlife Service
[50 CFR Part 17]

ENDANGERED AND THREATENED
WILDLIFE; SEA TURTLES

Denial of Request for Public Hearing on
Proposed Regulations

Section 4(f)(2)(A)(ii) of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) states that if any person, who feels that he may be adversely affected by a regulation proposed pursuant to the Act, requests a public hearing thereon, the Secretary may grant such request, but shall, if he denies such request, publish his reasons therefore in the FEDERAL REGISTER.

On July 22, 1976, Mr. Carleton S. Jones, Counsel for Cayman Turtle Farm, Ltd., requested that a public hearing be held on the Proposed Regulations Treating Three Species of Sea Turtles as Threatened under the Similarity of Appearance Clause of the Endangered Species Act of 1973, published by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service in the FEDERAL REGISTER of June 16, 1976 (41 FR 24378-24380). Mr. Jones gave the following reasons for his request: (1) The alleged

inadequacy of the Environmental Impact Assessment concerning the Proposed Regulations; (2) The alleged failure of the Services to prepare an Environmental Impact Statement on the Proposal; and (3) The absence of a provision excepting from the prohibitions of the Proposed Regulations turtles taken for or derived from captive populations in the course of mariculture operations, or, in the alternative, of provisions specifically authorizing the grant of permits to such operations based upon enumerated criteria.

The Fish and Wildlife Service and National Marine Fisheries Service consider that the Environmental Impact Assessment is adequate and covers all necessary points. When reviewed in conjunction with the public comments received, the Environmental Impact Assessment supports the contention that an Environmental Impact Statement is not necessary to satisfy the requirements of the National Environmental Policy Act (42 U.S.C. 4321 et seq.). The Services also consider that the permit provisions of the Proposed Regulations are fully sufficient and applicable to mariculture operations. Moreover, the Services consider that the comment period established by the Proposal is adequate for purposes of public participation, and that no further delay is warranted, especially in the light of the extensive past public discussion of the whole Sea Turtle issue. Therefore, this request for public hearing is denied.

Dated: October 6, 1976.

LYNN A. GREENWALT,
Director, Fish and
Wildlife Service.

[FR Doc. 76-30250 Filed 10-14-76; 8:45 am]

**Mining Enforcement and Safety
Administration**

[30 CFR Part 100]

**CIVIL PENALTY ASSESSMENT
Proposed Procedures**

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under section 508 of the Coal Mine Health and Safety Act of 1969 (Pub. L. 91-173; 83 Stat. 803; 30 U.S.C. 957) it is proposed that section 100.7(c), Part 100, Title 30, Code of Federal Regulations be amended as set forth below.

Concurrent with this Notice there is published in this issue of the FEDERAL REGISTER (at page 45574) a Notice of Proposed Rulemaking for special procedural rules applicable to summary disposition of civil penalty cases during mine health and safety hearings (43 CFR Part 4). The purpose of this proposed amendment to 30 CFR Part 100 is merely to conform those regulations to the proposed changes in 43 CFR Part 4, which would authorize the assessment officer to enter the order of assessment as the final order of the Department of the Interior when the respondent coal mine operator has waived its right to a hearing.

It is the policy of the Department of the Interior whenever practicable to afford the public an opportunity to participate in the rulemaking process. Therefore, interested persons are invited to submit written data, views and comments to: Administrator, Mining Enforcement and Safety Administration, Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Comments received on or before November 15, 1976, will be considered before final action is taken on this proposal.

Accordingly, it is proposed to amend 30 CFR Part 100 by revising § 100.7(c) to read as follows:

§ 100.7 Request for hearing.

(c) In accordance with 43 CFR 4.545, the Office of Hearings and Appeals shall thereafter issue an order, based on findings of fact and conclusions of law unless the petition is dismissed by consent of the parties, or summarily dismissed pursuant to 43 CFR 4.544.

Dated: October 8, 1976.

KENT FRIZZELL,
Under Secretary of
the Interior.

[FR Doc. 76-30215 Filed 10-14-76; 8:45 am]

Office of Hearings and Appeals

[43 CFR Part 4]

**SPECIAL RULES APPLICABLE TO MINE
HEALTH AND SAFETY HEARINGS AND
APPEALS—SUMMARY DISPOSITION**

Notice of Proposed Rulemaking

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under section 508 of the Coal Mine Health and Safety Act of 1969 (Pub. L. 91-173; 83 Stat. 803; 30 U.S.C. 957) it is proposed that § 4.544, Part 4, Subtitle A, Title 43, Code of Federal Regulations be amended as set forth below.

The proposed amendment will relieve the Department from the unnecessary burden of preparing a formal decision based upon proposed findings of fact and conclusions of law for civil penalty cases where the respondent fails to file a timely answer to a petition for civil penalty, or fails to timely comply with a prehearing order. As an added protection, the respondent coal mine operators will be given an opportunity to show cause and thereby avoid summary dismissal. This procedure is virtually identical to the prior regulations in effect during the period from June 28, 1972 until April 24, 1973.

The amendment does not affect the rights of respondent coal mine operators to a full and fair hearing in contested civil penalty proceedings where the respondent has complied with procedural regulations consistent with his prior request for a hearing. Under present practice, undue time and expense are spent preparing routine proposed findings of facts and conclusions of law prior to the imposition of default civil penalties by Administrative Law Judges. A conforming amendment to 30 CFR Part 100 is

also proposed in this issue of the FEDERAL REGISTER (at page 45574).

It is the policy of the Department of the Interior whenever practicable to afford the public an opportunity to participate in the rulemaking process. Therefore, interested persons are invited to submit written data, views and comments to: James R. Richards, Director, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203. Comments received on or before November 15, 1976 will be considered before final action is taken on this proposal.

Accordingly, it is proposed to amend 43 CFR Part 4 by revising § 4.544 to read as follows:

§ 4.544 Summary Disposition.

(a) Where the respondent fails to file a timely answer to the Mining Enforcement and Safety Administration's petition for assessment of civil penalty, or fails to timely comply with any prehearing order of an administrative law judge, the Office of Hearings and Appeals shall issue an order to show cause why (1) the respondent should not be deemed to have waived his right to a hearing and (2) the proceedings should not be summarily dismissed and referred to the assessment officer.

(b) If the order to show cause is not satisfied as provided in the order, the administrative law judge shall order the proceedings summarily dismissed and referred to the assessment officer, who shall enter the order of assessment as the final order of the Department and institute collection procedures pursuant to section 109(a)(4) of the Act.

(c) Where the respondent fails to appear at a hearing, the respondent will be deemed to have waived his right to a hearing and the administrative law judge may assume for purposes of the assessment: (1) That each violation listed in the petition occurred; and (2) the truth of any fact alleged in any order or notice concerning such violation. In order to issue an initial decision assessing an appropriate penalty for each violation cited in accordance with § 4.545(a), an administrative law judge shall either conduct such hearing or require the Mining Enforcement and Safety Administration to furnish proposed findings of fact and conclusions of law.

(d) Nothing in this section shall be construed to deprive the respondent of its opportunity to have the Mining Enforcement and Safety Administration prove the violations charged in open hearing with confrontation and cross-examination of witnesses, except where said respondent fails to file timely answer to a petition for civil penalty, fails to timely comply with a pre-hearing order, or fails to appear at the scheduled hearing.

Dated: October 8, 1976.

KENT FRIZZELL,
Under Secretary of
the Interior.

[FR Doc. 76-30216 Filed 10-14-76; 8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 989]

RAISINS PRODUCED FROM GRAPES
GROWN IN CALIFORNIAProposed Change in Minimum Grade
Standards for Packed Raisins

Notice is given of a proposal to temporarily change the minimum grade standards for certain varietal types of packed raisins. This change is pursuant to the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989; 41 FR 32412), hereinafter referred to collectively as the "order." The order regulates the handling of raisins produced from grapes grown in California and is effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal was recommended by the Raisin Administrative Committee.

Section 989.59(a) prescribes minimum standards for packed raisins. Section 989.59(b) provides that the standards for any varietal type then in effect may be changed by the Secretary, on the basis of a recommendation by the Committee or other pertinent information, if he finds that to do so would tend to effectuate the declared policy of the act. Paragraph (b) also authorizes the Secretary, upon recommendation of the Committee, to prescribe minimum standards for any varietal type. The minimum standards for packed natural (sun-dried) Thompson Seedless, natural (sun-dried) Muscat, natural (sun-dried) or artificially dehydrated Sultana, Golden Seedless, Sulfur Bleached Valencia, and Zante Currant raisins, are prescribed in § 989.59(a) (2). The minimum standards for packed Dipped Seedless raisins are prescribed in § 989.212 of Subpart—Supplementary Regulations (7 CFR 989.201-989.231).

Heavy rains and poor drying conditions during September 1976, seriously damaged this year's raisin crop. Although the full extent of the rain damage is still unknown, total production this season is expected to be much smaller than market needs. In addition, cool weather and rain earlier in the season delayed proper development of sugar in the raisin grapes, and thus adversely affected the maturity of the 1976 raisin crop. Also, when grapes are subjected to rain while drying in the field, there is a sugar loss. This leaching of sugar further reduced the maturity of the 1976 raisin crop.

The proposed changes in the minimum grade standards for packed raisins, as hereinafter set forth, would end November 30, 1977, and would aid in the recovery of raisins acceptable for human consumption from the 1976 production and since they are less restrictive, would help make more raisins available to consumers than would be made available without the temporary change in grade standards. Because the proposed changes are temporary, it is proposed that they be set forth in § 989.202 (currently re-

served) in Subpart—Supplementary Regulations.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than November 1, 1976. All written submissions made pursuant to the notice shall be made in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 989.202 Changes in minimum grade standards for certain packed raisins for the period ending November 30, 1977.

Pursuant to § 989.59(b), the requirements set forth in § 989.59(a) (2) for natural (sun-dried) Thompson Seedless, natural (sun-dried) Muscat, natural (sun-dried) or artificially dehydrated Sultana, Golden Seedless, Sulfur Bleached and Valencia raisins, and the requirement set forth in § 989.212 for Dipped Seedless raisins, shall be as prescribed in those respective sections, except that the tolerances prescribed for mold shall be changed to five percent, and the total tolerance for discolored, damaged or moldy raisins shall be changed to 10 percent. Pursuant to § 989.59(b), the requirement set forth in § 989.59(a) (2) for Zante Currant raisins shall be as prescribed in that section, except that the tolerance prescribed for mold shall be changed to five percent and the total tolerance for discolored, damaged or moldy raisins shall be changed to eight percent. In addition, for natural (sun-dried) Thompson Seedless, Golden Seedless, Sulfur Bleached, and Dipped Seedless raisins, the term "with not less than 55 percent, by weight, of raisins that are well-matured or reasonably well-matured" shall not be applicable. These changes shall terminate November 30, 1977.

Dated: October 8, 1976.

CHARLES R. BRADER,
Deputy Director,
Fruit and Vegetable Division.

[FR Doc.76-30233 Filed 10-14-76;8:45 am]

Commodity Credit Corporation

[7 CFR Part 1464]

CIGAR TOBACCO

Proposed Grade Loan Rates for Price
Support on 1976-Crop

Notice is hereby given that CCC is considering the grade loan rates to be applied in making price support available on 1976-crop cigar tobacco.

Interested persons are invited to participate in establishing the grade loan rates to be applied by submitting views and recommendations in writing to the Director, Tobacco and Peanut Division,

Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250. To assure consideration, all submissions must be received not later than November 15, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Director during regular business hours (8:15 a.m. to 4:45 p.m.).

Under the Tobacco Loan Program published in this part, CCC proposes to establish loan rates by grades for the 1976-crop Ohio filler tobacco, types 42-44, Connecticut Valley broadleaf tobacco, type 51, Connecticut Valley Havana seed tobacco, type 52, New York and Pennsylvania Havana seed tobacco, type 53, and Southern Wisconsin tobacco, type 54, Northern Wisconsin tobacco, type 55, and Puerto Rican tobacco, type 46, as set forth herein. These proposed rates, calculated to provide the level of support of 75.6 cents per pound for types 51-52, 56.7 cents per pound for type 46 and 54.6 cents per pound for types 42-44, 53-55, are determined under Section 106 of the Agricultural Act of 1949 (7 U.S.C. 1445).

In consideration of the foregoing, it is proposed to amend 7 CFR Part 1464, as follows:

By revising §§ 1464.22-1464.27 to read as follows:

§ 1464.22 1976 Crop—Ohio Filler Tobacco, Types 42-44, Loan Schedule.²

Grade:	Loan rate*
Crop run (stripped together):	
X1	58.5
X2	53.5
X3	48.5
X4	43.5
Non-descript:	
N	35

*Dollars per hundred pounds, farm sales weight.

§ 1464.23 1976 Crop—Connecticut Valley Broadleaf Tobacco, Type 51 Loan Schedule.²

Grade:	Loan rate*
Binders:	
B1	99
B2	90
B3	79
B4	69
B5	61
Nonbinders:	
X1	48

*Dollars per hundred pounds, farm sales weight.

§ 1464.24 1976 Crop—Connecticut Valley Havana Seed Tobacco, Type 52, Loan Schedule.²

Binders:	Loan rate*
B1	95
B2	87
B3	76
B4	67
B5	61
Nonbinders:	
X1	48

*Dollars per hundred pounds, farm sales weight.

See footnotes on page 45576.

PROPOSED RULES

§ 1464.25 1976 Crop—New York and Pennsylvania Havana Seed Tobacco, Type 53, and Southern Wisconsin Tobacco, Type 54, Loan Schedule.¹

Grade:	Loan rate*
Crop run:	
X1 -----	61
X2 -----	55
X3 -----	48
Farm fillers:	
Y1 -----	42.5
Y2 -----	40.5
Y3 -----	38.5
Nondescript:	
N1 -----	35
N2 -----	30

*Dollars per hundred pounds, farm sales weight.

§ 1464.26 1976 Crop—Northern Wisconsin Tobacco, Type 55, Loan Schedule.¹

Grade:	Loan rate*
Binders:	
B1 -----	77
B2 -----	71
B3 -----	66
Strippers:	
C1 -----	62
C2 -----	56
C3 -----	50
Crop run:	
X1 -----	61
X2 -----	55
X3 -----	49.5
Farm fillers:	
Y1 -----	41
Y2 -----	39
Y3 -----	36
Nondescript:	
N1 -----	34.5
N2 -----	29

*Dollars per hundred pounds, farm sales weight.

§ 1464.27 1976 Crop—Puerto Rican Tobacco, Type 46, Loan Schedule.¹

Grade:	Loan rate*
Price block I (C1F and C1P) -----	62
Price block II (X1F, X1P, and X1S) -----	56
Price block III (X2T, X2F, X2P, and X2S) -----	47.5
Price block IV (N) -----	25.5

*Dollars per hundred pounds, farm sales weight.

¹ Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "S" (scrap) or designated "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower \$1 per hundred pounds to apply against overhead and receiving costs.

² Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "N1" or "N2" (nondescript) or "S" (scrap) or designated "No-G" (no grade). The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower \$1 per hundred pounds to apply against overhead and receiving costs.

Signed at Washington, D.C. on October 8, 1976.

KENNETH E. FRICK,
Executive Vice-President,
Commodity Credit Corporation.

[FR Doc.76-30194 Filed 10-14-76; 8:45 am]

[7 CFR Part 1871]

[FmHA Instruction 455.1]

CHATTEL SECURITY

Liquidation of Chattel Property and Related Actions

The purpose of this notice is to withdraw the proposal published in the FEDERAL REGISTER (40 FR 5539) on February 6, 1975 amending § 1871.40(c) (3). The proposed amendment provided that the interest rate on Operating and Emergency loans to be paid by an ineligible transferee would be the current interest rate in effect at the time the transfer is approved or the rate in the note(s) being assumed, whichever was greater. In consideration of a new proposal pertaining to eligibility requirements being published as of this date, the proposed rule amending the § 1871.40 (c) (3) is hereby withdrawn.

(7 U.S.C. 1989; 42 U.S.C. 1480; 42 U.S.C. 2042; 5 U.S.C. 301; Sec. 10 of Pub. L. 93-357, 88 Stat. 392; delegation of authority by the Sec. of Agril., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70; delegation of authority by Dir., OEO, 29 FR 14764, 33 FR 9850.)

Effective date. This withdrawal shall become effective October 15, 1976.

Dated: October 1, 1976.

FRANK B. ELLIOTT,
Administrator,

Farmers Home Administration.

[FR Doc.76-30235 Filed 10-14-76; 8:45 am]

[7 CFR Part 1871]

[FmHA Instruction 462.1]

CHATTEL SECURITY

Securing Emergency Loans, Clarification

Notice is hereby given that the Farmers Home Administration has under consideration the proposed amendment of § 1871.11 of Subpart A of Part 1871, Title 7, Code of Federal Regulations. (36 FR 1110; 37 FR 17543; 41 FR 24700) is amended by adding paragraph (b) (10) and amending paragraph (c). The addition of paragraph (b) (10) clarifies the reasons for subordinating chattel liens security Emergency loans; the amendment of paragraph (c) establishes that the amount of a new subordination plus the principal balance of any existing subordinations or waivers will not exceed the loan approval authority of the loan official.

Interested persons are invited to submit written comments, suggestions, data or arguments regarding the proposed amendment to the Office of the Chief, Directives Management Branch, Farmers Home Administration, U.S. Department of Agriculture, Room 6316, South Building, Washington, D.C. 20250, on or before November 29, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Chief, Directives Management Branch, during regular business hours. (8:15 a.m.-4:45 p.m.)

As amended, § 1871.11(b) (10) and (c) read as follows:

§ 1871.11 Use of other credit and subordination of chattel security.

(b) Purposes and limitations. * * *

(10) FmHA may subordinate chattel liens securing EM loans to another creditor or permit that creditor to loan for any authorized EM loan purpose including capital purchases, providing it is determined:

(i) The borrower needs the loan to continue his farming operation and it will be to his benefit to receive such a loan.

(ii) The loan will enhance the borrower's possibility of accomplishing the objectives of loans owed FmHA.

(iii) FmHA's financial interest will not be adversely affected.

(c) *Approval authorization.* Loan approval officials are authorized to approve subordinations and waivers of FmHA lien priority provided the amount of the proposed subordination or waiver, plus the principal balance of existing subordinations or waivers does not exceed their loan approval authority stated in Subpart B of Part 1810 of this chapter for the type of loan being subordinated. When the lien priority for more than one type of loan is subordinated or waived, the total amount of the approval officials authority will be limited to the amount of the loan approval authority for the type of loan with the lowest approval authority for that official, as stated in Subpart B of Part 1810 of this chapter. However, the State Director may approve subordinations or waivers regardless of the amount, except as provided in paragraph (b) (9) of this section. State Directors may redelegate their authority for approving subordinations to qualified State Office personnel, including District Directors.

(7 U.S.C. 1989; 42 U.S.C. 1480; 42 U.S.C. 2042; 5 USC 301; Sec. 10 PL 93-357, 88 Stat. 392; delegation of authority by the Sec. of Agril., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70; delegations of authority by Dir., OEO 29 FR 14764, 33 FR 9850.

Dated: October 1, 1976.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.76-30236 Filed 10-14-76; 8:46 am]

[7 CFR Part 1871]

[FmHA Instruction 455.1]

CHATTEL SECURITY

Liquidation of Property and Related Actions

Notice is hereby given that the Farmers Home Administration has under consideration the proposed amendment of § 1871.40 of Subpart B of Part 1871, Title 7, Code of Federal Regulations (36 FR 1118) by amending paragraph (b) (3) and (c) (3). Paragraph (b) (3) is amended to clarify the eligibility requirements for transfer of an Emergency loan to an eligible applicant; paragraph (c) (3) is amended to provide the interest rates to be paid by an ineligible trans-

ferree for Operating, Economic Opportunity, and Emergency loans. A proposed amendment of § 1871.40(c) (3) published at 40 FR 5539 which sets forth this interest rate on Operating or Emergency loans at the rates in effect at the time the transfer is approved or the rate in the note being assumed, whichever is greater, is being withdrawn as of this date.

Interested persons are invited to submit written comments, suggestions, or arguments regarding the proposed amendment to the Office of the Chief, Directives Management Branch, Farmers Home Administration, U.S. Department of Agriculture, Room 6316, South Building, Washington, D.C. 20050, on or before November 15, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Chief, Directives Management Branch during regular business hours. (8:15 a.m.-4:45 p.m.)

As proposed, § 1871.40 (b) (3) and (c) (3) read as follows:

§ 1871.40 Transfer of chattel security and EO property and assumption of debts not provided for in § 1871.39 and release of liability.

*(b) Transfer to eligible. * * **

(3) Transfer of Emergency (EM) actual loss loans, or EM loans made before September 12, 1975, can only be made as provided under paragraph (c) of this section for transfers to ineligible. Except that a transfer to a remaining borrower(s) or partner(s) may be made as to an eligible transferee when one or more of the joint borrowers or jointly obligated partners withdraw from the operation and the remaining borrower(s) or partner(s) desire to assume the total indebtedness and continue the operation.

*(c) Transfer to ineligible. * * **

(3) FmHA debts assumed will be scheduled for repayment in amortized installments not to exceed five years using Form FmHA 460-5. The transferred property (including EO property) will be made subject to any existing FmHA lien. In the absence of an existing FmHA lien a new lien instrument will be executed. Interest rates to the transferee will be as follows:

(i) Interest rates for Operating loans will be the current interest rate in effect at the time of approval of the transfer or the rate specified in the note(s) evidencing the loan(s) being assumed, whichever is the greater.

(ii) Interest rate for EO loans will be 6 percent.

(iii) Interest rate for EM loans will be the current prevailing market rate, as established by the Secretary, in effect at the time of the transfer or the rate specified in the note(s) evidencing the loan(s) being assumed, whichever is the greater.

(7 U.S.C. 1983; 42 U.S.C. 1480; 42 U.S.C. 2942; 5 U.S.C. 301; Sec. 10 P.L. 93-357, 88 Stat. 392; delegation of authority by the Sec. of Agr., 7 CFR 2.23; delegation of authority

by the Asst. Sec. for Rural Development, 7 CFR 2.70; delegations of authority by Dir. OEO 29 FR 14764, 33 FR 9850.)

Dated: October 1, 1976.

FRANK B. ELLIOTT
Administrator,
Farmers Home Administration.
[FR Doc.76-30234 Filed 10-14-76;8:45 am]

Office of the Secretary

[7 CFR Part 2]

Forest Service

[36 CFR Parts 251, 261, 291 and 295]

PROHIBITED ACTS

Notice of Proposed Rulemaking

Notice is hereby given that the Department of Agriculture is considering amending regulations in 7 CFR Part 2 and 36 CFR Parts 251, 261, 291 and 295.

The provisions of 36 CFR 212.7, 212.20 (c) and (d) and 212.21 will also be revised in accordance with this proposal.

The purposes of these amendments are to bring all acts prohibited in the National Forest System into one CFR part; to establish a uniform system for adopting and posting rules; and to clarify the delegations of authority regarding certain acts which may be prohibited in the National Forest System. In addition, all regulations which presently prohibit acts on National Forest lands have been reviewed to determine whether such regulations are necessary.

It is proposed that all regulations prohibiting certain acts in the National Forest System be in 36 CFR Part 261. This part is divided as follows:

(1) Subpart A, General Provisions, contains general regulations that apply to all parts of the National Forest System.

(2) Subpart B, Prohibitions in Areas Designated by Order, contains national regulations which are effective only if applied by an order.

(3) Subpart C, Delegations of Authority, contains delegations to the Chief and Regional Foresters to promulgate regulations in specific situations.

(4) Subpart D, Rewards and Impoundments, contains regulations governing rewards in connection with fire or property prosecutions. It also contains regulations on impoundment of property on National Forest System lands.

The provisions of 7 CFR 2.60(b) (1) currently reserves to the Assistant Secretary for Conservation, Research, and Education the authority to issue regulations. Upon adoption of the proposed 36 CFR Part 261, 7 CFR 2.60(b) (1) would be amended to allow for the delegation of authority proposed in 36 CFR 261.70.

All persons wishing to submit written data, views, or objections pertaining to the proposed revision may do so by submitting them to the U.S. Department of Agriculture, Forest Service, Fiscal and Accounting Management Staff, Washington, D.C. 20250, on or before November 29, 1976.

All written submissions made pursuant to this notice will be available for pub-

lic inspection in room 4007—South Building, U.S. Department of Agriculture, 14th Street and Independence Avenue, S.W., Washington, D.C., during regular business hours (7 CFR 1.27(b)).

In consideration of the foregoing, the Department of Agriculture proposes to revoke §§ 251.25, 291.4, 291.5, 291.6, 295.6, 296.7 and 295.8 of title 36 of the Code of Federal Regulations. It is also proposed that 7 CFR 2.60(b) (1) be amended to read as follows:

§ 2.60 Chief, Forest Service.

(b) *Reservations.* The following authorities are reserved to the Assistant Secretary for Conservation, Research, and Education.

1) The authority to issue regulations, except as provided in 36 CFR 261.70.

(80 Stat. 379, 5 U.S.C. 301.)

In addition, 36 CFR 261 is revised as follows:

PART 261—PROHIBITED ACTS

Subpart A—General Prohibitions

Sec.	
261.1	Definitions.
261.2	Posting.
261.3	Interference within the National Forest System.
261.4	Disorderly conduct.
261.5	Fire.
261.6	Timber and other forest products.
261.7	Livestock.
261.8	Hunting, trapping, and fishing.
261.9	Restrictions on hunting, trapping, or fishing within the boundaries of national refuge.
261.10	Property.
261.11	Occupancy.
261.12	Sanitation.
261.13	Roads and trails.
261.14	Vehicles.
261.15	Developed recreation sites.
261.16	Admission and recreation-use fees.
261.17	National Forest wilderness.

Subpart B—Prohibitions in Areas Designated by Order

261.50	Orders.
261.51	Fire.
261.52	Disease.
261.53	Protection of property.
261.54	Health, safety and protection of special areas.
261.55	Forest development roads.
261.56	National forest development trails and national scenic trails.
261.57	Use of vehicles off roads.
261.58	National Forest wilderness.
261.59	Occupancy and use.
261.60	Violation of an order or permit.

Subpart C—Delegation of Authority

261.70	Authority to issue local regulations.
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Subpart D—Rewards and Impoundments

261.90	Rewards in connection with fire or property prosecutions.
261.91	Impounding and disposal of unauthorized livestock.
261.92	Impounding of dogs.
261.93	Impounding of personal property.
261.94	Removal of obstructions.

AUTHORITY: The provisions of this part 261 are issued under 30 Stat. 35, as amended, Sec. 1, 33 Stat. 623 (16 U.S.C. 551, 472; 50 Stat. 628, 80 Stat. 379; U.S.C. 1011(f), 5 U.S.C. 301), unless otherwise noted.

Subpart A—General Prohibitions

§ 261.1 Definitions.

The following definitions apply to this subpart and to subparts B and C.

(a) "Areas of concentrated public use" means those areas identified by a posted map delineating their boundaries.

(b) "Campfire" means a fire, outside of any building, mobile home or living accommodation mounted on a motor vehicle, which is used for cooking, personal warmth, lighting, ceremonial, or esthetic purposes. "Campfire" includes a fire in the open, a fireplace, an enclosed stove, a portable brazier, or a space-heating device. "Campfire" also includes a fire in a stove using pressurized liquid or gaseous fuel.

(c) "Camping" means the temporary use of land for the purpose of occupancy without a permanently-fixed structure.

(d) "Camping equipment" means the personal property used in or suitable for camping, and includes any vehicle used for transport and all personal property in possession of a person camping.

(e) "Developed recreation site" means an area which has been improved for visitor use by the addition of improvements to facilitate human occupancy for picnicking, camping or other outdoor recreation use.

(f) "Forest development road" means a road wholly or partly within or adjacent to and serving a National Forest and other lands administered by the Forest Service and which has been included in the forest development transportation plan.

(g) "Forest development trail" means a trail wholly or partly within or adjacent to and serving a National Forest and other lands administered by the Forest Service and which has been included in the forest development transportation plan.

(h) "Forest officer" means an agent or employee of the Forest Service.

(i) "National Forest System" shall include all national forest lands reserved or withdrawn from the public domain of the United States, all national forest lands acquired through purchase, exchange, donation, or other means, the national grasslands and lands utilization projects administered under Title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525, 7 U.S.C. 1010-1012), and other lands, waters, or interests therein which are administered by the Forest Service or designated for administration through the Forest Service as a part of the system.

(j) "National Forest wilderness" means those parts of the National Forest System which were designated units of the National Wilderness Preservation System by the Wilderness Act of September 3, 1964, and such other areas of National Forest lands as have been or may later be, added to the wilderness system by act of Congress.

(k) "Permission" means oral authorization of a Forest officer.

(l) "Permit" means authorization in writing by a Forest officer.

(m) "Road" means any continuous set of wheel tracks which has been established by and can be used by motor vehicles with an overall width exceeding 40 inches including bridges currently open and used for general travel.

(n) "Trail" means a designated path or way of travel other than a road, which is commonly used by, and maintained for, hikers, horsemen, snow travelers, bicyclists or other vehicles with a total width of 40 inches or less.

(o) "Unauthorized livestock" means cattle, sheep, goats, hogs, and equines not defined as wild free-roaming horses and burros, which are not authorized by permit to be upon the land on which the livestock is located and which are not related to use authorized by a grazing permit.

§ 261.2 Posting.

Posting is accomplished by:

(a) Placing a copy of the prohibitions imposed by an order in the offices of the District Ranger and Forest Supervisor who have jurisdiction over the lands affected by the order.

(b) Attaching the prohibitions imposed by an order to posts, structures, buildings, or other objects in such a manner as to reasonably bring the prohibitions to the attention of the public. Signs displaying the prohibitions may be placed:

(1) At or near the boundary of the area affected;

(2) At or near the principle routes of entry to the area affected;

(3) On or near the road or trail affected;

(4) As part of a permit issued to a person for the occupancy and use of the National Forest System.

§ 261.3 Interference within the National Forest System.

Interfering in the National Forest System by threat, intimidation, physical or verbal assault or otherwise, with any Forest officer, or with any person engaged in lawful activity pursuant to a Forest Service contract, lease, permit or easement is prohibited.

§ 261.4 Disorderly conduct.

Disorderly conduct is prohibited in the National Forest System. A person is guilty of disorderly conduct if, to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, he shall:

(a) Engage in fighting or in threatening, violent tumultuous behavior; or

(b) Make unreasonable noise or offensively cause utterance, gesture or display, or address abusive language to person present; or

(c) Create a hazardous or physically offensive condition by any act which serves no legitimate purpose.

§ 261.5 Fire.

The following are prohibited in the National Forest System:

(a) Setting or causing to be set on fire any timber, brush, grass, leaves, rotten

wood, or large or hollow logs or stumps, except as authorized by permit.

(b) Maintaining or using a fire in or near timber, brush, grass, leaves, rotten wood, large hollow logs, or stumps or any other place from which it spreads, or is likely to spread, or is difficult to completely extinguish.

(c) Setting, causing to be set, maintaining, or using any fire during windy weather not confined to holes, devices or cleared spaces from which all growing vegetable material had been removed.

(d) Leaving any fire set, caused to be set, maintained or used which is not completely extinguished.

(e) Using an internal or external combustion engine not equipped with either a spark arrester or an exhaust system approved by a Forest Officer.

(f) Throwing, shooting, or placing any tracer bullet, flare incendiary ammunition, other burning, glowing or ignited substance, or any other substance into any place where it might start a fire.

(g) Allowing any fire to escape from control.

(h) Setting, causing to be set, maintaining, using or leaving a fire in violation of State law.

§ 261.6 Timber and other forest products.

The following are prohibited in the National Forest System:

(a) Cutting, killing, destroying, girdling, chipping, chopping, boxing, injuring, or otherwise damaging, or removing, any timber or other forest product, except as authorized by permit, timber sale contract, or regulation of the Secretary of Agriculture.

(b) Damaging or cutting any living tree, under permit or timber sale contract, before it is marked or otherwise designated for cutting by a forest officer.

(c) Removing any timber or other forest product cut under permit or timber sale contract, except to a place designated for scaling, or removing it from that place before scaled, measured, counted or otherwise accounted for by a forest officer.

(d) Stamping, marking with paint, or otherwise identifying any timber or other forest product in a manner similar to that employed by forest officers to mark or designate timber or other forest product for cutting or removal.

(e) Planting, releasing, or spreading seed of any tree or plant without a permit.

(f) Removing, destroying or damaging any plant that is classified as threatened, endangered or is otherwise protected by State or Federal law unless authorized by permit.

§ 261.7 Livestock.

The following are prohibited in the National Forest System:

(a) Placing or allowing unauthorized livestock to enter or be in the National Forest System.

(b) Not removing unauthorized livestock from the National Forest System when requested by a Forest officer.

(c) Abandoning any animal.

(d) Failing to reclose an entry to an area of the National Forest System.

§ 261.8 Hunting, trapping, and fishing.

The following are prohibited in the National Forest System:

(a) Hunting, trapping, fishing, catching, molesting, killing or possessing any kind of wild animal, bird, amphibian, crustacean, mollusk, reptile or fish or taking the eggs of any of the above in violation of federal or State law.

(b) Carrying or possessing in violation of Federal or State law, a firearm, or any other implement designed to discharge missiles capable of destroying animal life in violation of State law.

(c) Possessing equipment which could be used for hunting, fishing or trapping in violation of Federal or State law.

(d) Permitting a dog or other domesticated animal to run at large in violation of the laws of the State in which such land is situated.

(e) Removing or attempting to remove, converting to use, causing the death or harassing or interfering with, selling or commercially processing any part or carcass of, any wild, free-roaming horse or burro.

§ 261.9 Restrictions on hunting, trapping or fishing within the boundaries of national refuge.

The following are prohibited within the boundaries of a national game refuge or preserve or wildlife preserve, which is part of the National Forest System, unless authorized by permit:

(a) Hunting, trapping, fishing, catching, molesting, taking the eggs of, or having in possession, any kind or parts of a game or wild nongame animal, amphibian, crustacean, mollusk, reptile, bird, or fish.

(b) Carrying or possessing a firearm or any other implement designed to discharge missiles in the air or under water and which is capable of destroying animal life.

(c) Possessing a dog not on a leash or otherwise confined.

§ 261.10 Property.

The following are prohibited in the National Forest System:

(a) Mutilating, defacing, removing, disturbing, injuring or destroying any property of the United States, or, if not authorized by a permit, any natural feature or plant.

(b) Being in any building or structure owned or controlled by the United States without a permit, except in an emergency to prevent suffering, or leaving any building or structure without placing it in the same condition as when entered.

(c) Using any herbicide, pesticide or fungicide except as authorized by permit, or for personal use for medical purposes or as insect repellants or other minor uses as are determined to be exempt by a Forest officer.

(d) Digging in, excavating, distributing, injuring, or destroying any archeological, paleontological, or historic site, or removing, disturbing, injuring, or de-

stroying an object in such a site except as authorized by a permit.

§ 261.11 Occupancy.

The following are prohibited in the National Forest System:

(a) Taking possession of, occupying, or otherwise using such lands for residential purposes without a permit.

(b) Constructing, placing, maintaining, or using any kind of structure, fence, enclosure, or improvements without a permit.

(c) Selling or offering for sale any merchandise, conducting any kind of business enterprise, or performing any kind of work unless authorized by federal law, regulation or permit.

(d) Discharging a firearm or other implement capable of destroying life, or causing injury of property damage in or within 150 yards of a residence, building, camp, recreation site or occupied area, or across or on a road or body of water adjacent to or within such area whereby any person is exposed to injury as a result of such discharge.

(e) Operating a motorboat in excess of 5 miles per hour within 150 feet of a bather, boat landing, or boat not being operated under motorized power.

(f) Abandoning a vehicle or other personal property.

(g) Placing a vehicle or other object upon such lands in such a manner that it is an impediment or hazard to the safety, convenience or comfort of other users in the area.

(h) Distributing any handbill, circular or similar notice, or posting, placing, or erecting any bill, notice, paper, advertising material, sign, or similar matter of any kind without a permit.

(i) Operating or using any audio device, including a radio, television, or musical instrument, or any other device which produces noise, such as an electrical generator plant, motor driven equipment or engines in such a manner and at such times so as to disturb other persons.

(j) Operating or using a public address system, whether fixed, portable, or vehicle mounted, in or near a camp, developed recreation site, area of concentrated use, recreation area, or over an adjacent body of water without a permit.

(k) Installing, maintaining, or using special radio, telephone or television aerial or tower equipment in or near a camp, developed recreation site, recreation area, or over an adjacent body of water without a permit.

(l) Inciting or participating in riots, or engaging in boisterous, abusive, threatening, or indecent conduct which is prohibited by State law.

(m) Conducting, demonstrating, or participating in a public meeting, assembly, or special event, except as authorized by permit.

(n) Violating any requirement for manufacture, transportation, use, storage, or disposal of a pesticide under the Federal Insecticide, Fungicide and Rodenticide Act, as amended (7 U.S.C. 136-136Y).

§ 261.12 Sanitation.

The following are prohibited in the National Forest System:

(a) Depositing, except in places or receptacles provided for that purpose, any body waste, refuse, debris, or litter.

(b) Depositing in any toilet or plumbing fixture any bottle, can, cloth, rag, metal, wood, stone, or other substance which could damage the fixture.

(c) Possessing or leaving refuse, debris, or litter in an exposed or unsanitary condition.

(d) Placing in or near a stream, lake, or other water any substance which does or may pollute a stream, lake, or other water.

(e) Failing to dispose of all garbage, including paper, cans, bottles, waste materials, or rubbish either by removal from the site or area, or disposal at places provided for such disposition.

(f) Polluting or contaminating water supplies or water used for human consumption.

(g) Dumping or leaving in a refuse container, dump, or similar facility, refuse, debris, or litter brought as such from private property or from land occupied under permit.

§ 261.13 Roads and trails.

The following are prohibited on forest development roads and trails under Forest Service jurisdiction:

(a) Damaging and leaving in a damaged condition any road or trail or segment thereof or failing to report such damage to a Forest officer.

(b) Blocking, restricting, or otherwise interfering with the use of a road or trail.

§ 261.14 Vehicles.

The following are prohibited in the National Forest System:

(a) Operating any vehicle, including an "off-road" vehicle:

(1) Without a valid operator's license or learner's permit as required by the law of the State in which the vehicle is being operated;

(2) Without adult supervision as required by State law;

(3) With an internal or external combustion engine not equipped with a properly installed spark arrestor, or exhaust system. A spark arrestor shall meet either Forest Service standard 5100-1a, or the 80 percent efficiency level determined in accord with appropriate Society of Automotive Engineers (SAE) Recommended Practices J335 or J350, and shall be determined to be qualified thereunder by a Forest officer;

(4) Without an operable braking system, or a properly installed and working exhaust system;

(5) From one-half hour after sunset to one-half hour before sunrise unless equipped with working head and tail lights;

(6) In violation of any applicable noise emission standard established by any Federal or State agency. If standards overlap, the most stringent will govern.

(b) Driving any vehicle, including an "off-road" vehicle:

(1) In excess of posted or established limits on speed, load, weight, or width;

- (2) While under the influence of alcohol or other drug;
- (3) In violation of State law;
- (4) In a manner that creates excessive or unusual noise or smoke;
- (5) Carelessly and without regard for the safety of others;
- (6) In a manner that endangers, or is likely to endanger, any person or property.

§ 261.15 Developed recreation sites.

The following are prohibited in the National Forest System within developed recreation sites and posted areas of concentrated public recreation use:

- (a) Occupying any portion of a site for other than recreation purposes.
- (b) Erecting or using unsightly or inappropriate structures.
- (c) Building, attending, maintaining, or using a fire outside of fire rings provided for such purpose or outside stoves, grills or fireplaces.
- (d) Cleaning or washing personal property, fish, animals, or food at a hydrant or at a water faucet located in a restroom.
- (e) Discharging a firearm, or any other implement designed to discharge missiles capable of destroying life or inflicting injury or damaging property.
- (f) Discharging firecrackers, rockets or other fireworks.
- (g) Occupying between 10 p.m. and 6 a.m. places designated for day use only.
- (h) Failing to remove camping equipment, personal belongings, or litter when departing the area of site.
- (i) Placing, maintaining, or using camping equipment except in a place specifically designated or provided for such equipment.
- (j) Failing to have at least one person occupy a camping area during the first night after camping equipment has been set up without obtaining permission from a Forest officer.
- (k) Leaving camping equipment unattended for more than 24 hours without permission from a Forest officer.
- (l) Bringing in or possessing an animal, other than a seeing eye dog, unless it is crated, caged, or upon a leash not longer than 6 feet, or otherwise under physical restrictive control.
- (m) Bringing in or possessing in a swimming area an animal, other than a seeing eye dog.
- (n) Bringing in or possessing a saddle, pack, or draft animals, except as authorized by an official sign.
- (o) Driving or parking a motor vehicle or trailer except in places developed for this purpose.
- (p) Driving a bicycle, motorbike, or motorcycle on a trail within a developed recreation site unless designated for this use.
- (q) Driving a motorbike, motorcycle, or other motor vehicle on a road in a developed recreation site for any purpose other than access into, or egress out of, the site.

§ 261.16 Admission and recreation-use fees.

The following are prohibited in the National Forest System:

- (a) Failing to pay fees where required for the use of sites, facilities, equipment, or services furnished at Federal expense.
- (b) Failing to pay a prescribed fee applicable to any site or area under 16 U.S.C. 406L-4 to 460L-10.

§ 261.17 National Forest wilderness.

The following are prohibited in National Forest wilderness:

- (a) Using motorized equipment except small battery-powered, hand-held devices, such as cameras, shavers, flashlights and Geiger counters.
- (b) Possessing or using a hang glider, motorboat, motor vehicle, bicycle or other form of mechanical transport.
- (c) Possessing or using a power saw.
- (d) Landing of aircraft, or the dropping or picking up of materials from aircraft.
- (e) Transporting over land any watercraft by mechanical means, including the use of wheels, rollers, or other devices, except as authorized by a permit.
- (f) Possessing any motor or other mechanical device capable of propelling a water craft through water.
- (g) Leaving unattended any watercraft, motor, mechanical device, or equipment not used in connection with a current visit to the area.

Subpart B—Prohibitions in Areas Designated by Order

§ 261.50 Orders.

- (a) The Chief, each Regional Forester, each Experiment Station Director, the Administrator of the Lake Tahoe Basin Management Unit and each Forest Supervisor may issue orders which close or restrict the use of specified areas within the area over which he has jurisdiction. An order may prohibit all or any of the uses of the designated area. Any or all of the prohibitions authorized in this subpart may be applied to an area by order.
- (b) The Chief, each Regional Forester, each Experiment Station Director, the Administrator of the Lake Tahoe Basin Management Unit and each Forest Supervisor may issue orders which close, restrict the use of, or otherwise establish the conditions for use of, forest development roads or trails under the jurisdiction of the Forest Service.
- (c) Each order shall:
 - (1) For orders issued under § 261.50 (a), describe the area which is restricted or closed.
 - (2) For orders issued under § 261.50 (b), describe the road or trail to which the order applies.
 - (3) Specify the times during which the prohibitions apply.
 - (4) State the prohibitions which is applied or established.
 - (5) Be posted in accordance with § 261.2.
- (d) The prohibitions which are applied by an order are supplemental to the general prohibitions in subpart A.
- (e) An order may exempt the following persons from any of the prohibitions contained in the order:
 - (1) Persons with a permit authorizing the otherwise prohibited acts;

- (2) Owners or lessees of land in the area;

- (3) Residents in the area;
- (4) Persons traveling on a public road or public highway;
- (5) Any Federal, State, or local officer, or member of an organized fire fighting force in the performance of an official duty; and
- (6) Persons engaged in a business, trade, or occupation in the area.
- (f) The Chief, each Regional Forester, each Experiment Station Director, Administrator of the Lake Tahoe Basin Management Unit, each Forester Supervisor and each District Ranger or equivalent officer may issue permits to persons authorizing the occupancy or use of a road, trail, area or other part of the National Forest, for the promotion of fire may include in any permit such conditions as he considers necessary for the protection and administration of the National Forest, for the promotion of public health, safety, or welfare.
- (g) In an area which is not closed to vehicular use, the Chief, each Regional Forester, the Administrator of the Lake Tahoe Basin Management Unit, and each Forest Supervisor may establish by order limits on the type, speed, load, weight, length, height, or width, of vehicles which may use such areas.

- (h) Any person wishing to use a National Forest or portion thereof, should contact the Forest Supervisor or District Ranger to ascertain the special restrictions which may be applicable to that National Forest or portion thereof.

§ 261.51 Fire.

When provided by an order, the following are prohibited:

- (a) Setting, building, maintaining, attending or using a fire.
- (b) Failing to extinguish a fire when set, built, maintained, or used.
- (c) Using an explosive.
- (d) Smoking.
- (e) Smoking outside buildings or vehicles.
- (f) Going into or being upon an area of fire danger without a permit.
- (g) Possessing, discharging or using any kind of fireworks or other pyrotechnic devices.
- (h) Using a portable stove fueled by gas or liquid except at a developed recreation site.
- (i) Going or being upon an area of fire danger without firefighting tools, such as axes, shovels, and similar implements when entry is by motor vehicle, pack outfit, or other forms of transportation which provides a means for carrying such tools or implements.

§ 261.52 Disease.

When provided by an order, the following are prohibited:

- (a) Possessing an animal.
- (b) Possessing a bird.
- (c) Transporting an animal.
- (d) Transporting a bird.
- (e) Possessing any part of a severed tree or plant.
- (f) Transporting any part of a tree or plant.

§ 261.53 Protection of property.

When provided by an order, the following are prohibited:

(a) Going into or being upon an area designated by an order to protect public or privately owned property from malicious injury or destruction.

(b) Entering, occupying, or using any building or structure owned or controlled by the United States which is closed to the public by an order, except in an emergency to prevent suffering.

§ 261.54 Health, safety, and protection of special areas.

It is prohibited to go upon or be in a part of the National Forest System closed by an order for the protection of:

(a) Endangered, threatened, rare or vanishing species of plants or animals.

(b) Special biological communities.

(c) Objects or areas of historical or archaeological interest.

(d) Scientific experiments or investigations.

(e) The public health or safety of users of the National Forests System.

§ 261.55 Forest development roads.

The following are prohibited on roads designated in an order:

(a) Using a prohibited vehicle on a road which has been restricted by an order to certain classes of vehicles, such as passenger cars, buses, trucks, motorcycles, snowmobiles, and trailers or restricted to certain types of traffic such as commercial hauling, recreational and administrative traffic.

(b) Using a road for commercial hauling without a permit.

(c) Using a road without a permit.

(d) Operating a vehicle in violation of the speed, load, weight, height, length, width or other limitations established for such road.

§ 261.56 National forest development trails and national scenic trails.

It is prohibited to travel by foot, or use a motorized vehicle, bicycle or animal on national forest development trails or national scenic trails.

§ 261.57 Use of vehicles off roads.

It is prohibited to possess or use a vehicle off roads in areas and trails of the National Forest System designated closed by an order.

§ 261.58 National Forest Wilderness.

When designated by an order, the following are prohibited in National Forest wilderness:

(a) Entering or being in a National Forest wilderness without a permit.

(b) Possessing any camping or pack-outfitting equipment.

(c) Possessing firearms or fireworks.

(d) Possessing bottles, cans or similar containers.

(e) Camping, using a campfire, grazing, or storing equipment or supplies.

(f) Disposing of debris, garbage, or other waste.

§ 261.59 Occupancy and use.

When designated by an order, the following are prohibited:

(a) Camping for a period longer than permitted by the order.

(b) Entering or using a developed recreation site.

(c) Entering or remaining in a campground during established night periods except for persons who are occupying such campgrounds.

(d) Occupying a developed recreation site with prohibited camping equipment.

(e) Camping without a permit.

(f) Using a campsite by more than eight persons unless authorized by permit.

(g) Parking or leaving a vehicle in violation of a posted sign.

(h) Parking or leaving a vehicle outside a parking space assigned to one's own camp unit.

(i) Possessing, parking or leaving more than two vehicles, excluding two-wheel vehicles other than trailers, per camp unit.

(j) Being publicly nude.

(k) Entering or being in a body of water.

(l) Being in the area after sundown or before sunrise.

(m) Firing a firearm, air rifle, or gas gun.

(n) Possessing or operating a motorboat.

(o) Water skiing.

(p) Storing or leaving a boat or raft.

(q) Operating any watercraft in excess of a posted speed limit.

(r) Launching a boat except at a designated launching ramp.

(s) Being in area.

§ 261.60 Violation of an order or permit.

It is prohibited to enter, be in, or use, an area designated by an order in violation of the terms or conditions of a permit issued under 261.50(f).

Subpart C—Delegation of Authority**§ 261.70 Authority to issue local regulations.**

(a) The Chief and each Regional Forester may issue regulations prohibiting acts within all or any part of the area over which he has jurisdiction, for one or more of the following purposes:

(1) Fire prevention or control.

(2) Disease prevention or control.

(3) Protection of property, roads or trails.

(4) Protection of threatened, endangered, rare, or unique species of plants or animals, or special biological communities.

(5) Protection of objects or places of historical, archeological, geological or paleontological interest.

(6) Protection of scientific experiments or investigations.

(7) Public safety.

(8) Protection of health.

(9) Establishing reasonable rules of public conduct.

(b) No regulation may be issued under this subpart if the act is prohibited by existing regulations or may be prohibited by order.

(c) In issuing any regulations under paragraph (a) of this section, the issuing officer shall comply with the Administrative Procedure Act, 5 U.S.C. 553, by:

(1) Publishing the proposed rule in the Federal Register.

(2) Providing a period of not less than 30 days for public comment.

(3) Publishing the final rule in the Federal Register.

(d) In an emergency situation, the issuing officer shall:

(1) State that the proposed regulation is effective immediately upon publication in the Federal Register as a proposed regulation.

(2) Follow the procedures in paragraph (c) of this section for publication as a final rule.

(3) In the case of a regulation issued by a Regional Forester, obtain the approval of the Chief, Forest Service.

(e) No regulation issued in any emergency situation may be effective for more than 90 days unless adopted as a final rule as provided in paragraph (c) of this section.

Subpart D—Rewards and Impoundments**§ 261.90 Rewards in connection with fire or property prosecutions.**

(a) Hereafter, provided Congress shall make the necessary appropriation or authorize the payment thereof, the Department of Agriculture will pay the following rewards:

(1) Not exceeding \$500 and not less than \$100 for information leading to the arrest and conviction of any person on the charge of willfully and maliciously setting on fire, or causing to be set on fire, any timber, underbrush, or grass upon the lands of the United States within or near a National Forest;

(2) Not exceeding \$300 and not less than \$25 for information leading to the arrest and conviction of any person on the charge of building a fire on lands within or near the National Forest System in or near any forest timber or other inflammable material, and leaving said fire before the same has been totally extinguished;

(3) Not exceeding \$100 and not less than \$25 for information leading to the arrest and conviction of any person charged with destroying or stealing any property of the United States within the custody of the Chief of the Forest Service, United States Department of Agriculture.

(b) A reward may be paid to the person or persons giving the information leading to such arrest and conviction upon presentation to the Department of Agriculture of satisfactory evidence thereof, subject to the necessary appropriation as aforesaid, or otherwise as may be provided.

(c) Officers and employees of the Department of Agriculture are barred from receiving such rewards.

(d) The Department of Agriculture reserves the right to refuse payments of any claim for reward when, in its opinion, there has been collusion or that improper methods used to secure arrest and conviction. The Department also reserves the right to allow only one reward where several persons have been convicted or several offenses, unless the circumstances entitle the person to a reward on each conviction.

(e) Applications for reward should be forwarded to the Regional Forester, Research Director, or Area Director who has responsibility for the land or property involved in the trespass. However, no application will be considered unless presented to a responsible Forest Service officer within 3 months from the date of conviction of an offender. In order that all claimants for rewards may have an opportunity to present their claims within the prescribed limit, the Department will not take action with respect to rewards for 3 months from the date of the conviction of an offender. (58 Stat. 736; 16 U.S.C. 559a)

§ 261.91 Impoundment and disposal of unauthorized livestock.

Unauthorized livestock or livestock in excess of those authorized by a grazing permit on the National Forest System, which are not removed therefrom within the periods prescribed by this regulation, may be impounded and disposed of by a forest officer as provided herein.

(a) When a Forest officer determines that such livestock use is occurring, has definite knowledge of the kind of livestock, and knows the name and address of the owners, such livestock may be impounded any time 5 days after written notice of intent to impound such livestock is mailed by certified or registered mail or personally delivered to such owners.

(b) When a Forest officer determines that such livestock use is occurring, but does not have complete knowledge of the kind of livestock, or if the name of the owner is unknown, such livestock may be impounded any time 15 days after the date a notice of intent to impound livestock is first published in a local newspaper and posted at the county courthouse and in one or more local post offices. The notice will identify the area in which it will be effective.

(c) Unauthorized livestock or livestock in excess of those authorized by a grazing permit on National Forest System which are owned by persons given notice under paragraph (a) of this section, and any such livestock in areas for which a notice has been posted and published under paragraph (b) of this section, may be impounded without further notice any time within the 12-month period immediately following the effective date of the notice or notices given under paragraphs (a) and (b) of this section.

(d) Following the impoundment of livestock, a notice of sale of impounded livestock will be published in a local newspaper and posted at the county courthouse and in one or more local post

offices. The notice will describe the livestock and specify the date, time, and place of the sale. The date shall be at least 5 days after the publication and posting of such notice.

(e) The owner may redeem the livestock any time before the date and time set for the sale by submitting proof of ownership and paying for all expenses incurred by the United States in gathering, impounding, and feeding or pasturing the livestock. However, when the impoundment costs exceed fair market value a minimum acceptable redemption price at fair market value may be established for each head of livestock.

(f) If the livestock are not redeemed on or before the date and time fixed for their sale, they shall be sold at public sale to the highest bidder, providing this bid is at or above the minimum amount set by the Forest Service. If a bid at or above the minimum amount is not received, the livestock may be sold at private sale at or above the minimum amount, reoffered at public sale, condemned and destroyed, or otherwise disposed of. When livestock are sold pursuant to this regulation, the forest officer making the sale shall furnish the purchaser a bill or other written instrument evidencing the sale. Agreements may be made with State agencies whereby unbranded livestock of unknown ownership are released to the agency for disposition in accordance with State law.

§ 251.92 Impounding of dogs.

Any dog found running at large in a part of the National Forest System, which has been closed to dogs running at large, may be captured and impounded by Forest officers. Forest officers will notify the owner of the dog, if known, of such impounding, and the owner will be given 5 days to redeem the dog. A dog may be redeemed by the owner submitting adequate evidence of ownership and paying all expenses incurred by the Forest Service in capturing and impounding it. If the owner fails to redeem the dog within 5 days after notice, or if the owner cannot be ascertained within 10 days from the date of impounding, the dog may be destroyed or otherwise disposed of at the discretion of the Forest officer having possession of it.

§ 261.93 Impounding of personal property.

(a) Automobiles or other vehicles, trailers, boats, camping equipment and other inanimate personal property on National Forest or other land or waters under Forest Service control without the authorization of a Forest officer which are not removed therefrom within the prescribed period after a warning notice as provided in this regulation may be impounded by a Forest officer. Whenever, such Forest officer knows the name and address of the owner, such impoundment may be effected at any time 5 days after the date that written notice of the trespass is mailed by registered mail or delivered to such owner.

(b) In the event, the local Forest officer does not know the name and address of the owner, impoundment may be effected at any time fifteen days after the date a notice of intention to impound the property in trespass is first published in a local newspaper and posted at the county courthouse and in one or more local post offices. A copy of this notice shall also be posted in at least one place on the property or in proximity thereto.

(c) Personal property impounded under this regulation may be disposed of at the expiration of 90-days after the date of impoundment. The owner may redeem the personal property within the 90-day period by submitting proof of ownership and paying all expenses incurred by the United States in advertising, gathering, moving, impounding, storing, and otherwise caring for the property, and also for the value of the use of the site occupied during the period of the trespass.

(d) If the personal property is not redeemed on or before the date fixed for its disposition, it shall be sold by the Forest Service at public sale to the highest bidder. If no bid is received, the property, or portions thereof, may, in the discretion of the responsible Forest officer, be sold at private sale or be condemned and destroyed or otherwise disposed of. When personal property is sold pursuant to this regulation, the Forest officer making the sale shall furnish the purchaser a bill of sale or other written instrument evidencing the sale.

§ 261.94 Removal of obstructions.

A Forest officer may remove or cause to be removed, to a more suitable place, a vehicle or other object which is an impediment of hazard to the safety convenience, or comfort, or other users of the area.

ROBERT W. LONG,
Assistant Secretary.

OCTOBER 12, 1976.

[FR Doc.76-30289 Filed 10-14-76;8:45 am]

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE**

Food and Drug Administration

[21 CFR Part 27]

[Docket No. 75P-0038]

CANNED CHERRIES

**Withdrawal of Petition and Termination of
Proposed Rule Making Procedure**

The National Red Cherry Institute has requested that the petition to provide for safe and suitable color additives as optional ingredients in canned cherries be withdrawn without prejudice to a future filing.

The Food and Drug Administration issued a proposal in the FEDERAL REGISTER of June 23, 1975 (40 FR 26276), based on this petition filed by the National Red Cherry Institute, 415 West Grand River Ave., East Lansing, MI 48823, to amend the standard of identity for canned cherries under § 27.30 (21 CFR 27.30) by adding in § 27.30(a) color ad-

ditives to the list of safe and suitable optional ingredients.

In accordance with § 10.2(d) (21 CFR 10.2(d)), the petitioner has withdrawn its petition without prejudice to a future filing. Therefore, the Commissioner of Food and Drugs announces that the petition to provide for use of safe and suitable color additives in canned cherries is withdrawn and the rule making procedure on this matter is terminated.

This action is taken under the Federal Food, Drug, and Cosmetic Act (sections 401, 701, 52 Stat. 1046, 1055 as amended by 70 Stat. 919, 72 Stat. 748 (21 U.S.C. 341, 371)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)).

Dated: October 7, 1976.

JOSEPH P. HILE,
Acting Associate Commissioner
for Compliance.

[FR Doc.76-30244 Filed 10-14-76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 411]

[FRL 631-2]

CEMENT MANUFACTURING POINT SOURCE CATEGORY

Amendment of New Source Performance Standards

Notice is hereby given that the Environmental Protection Agency (EPA) is proposing to revise standards of performance for new sources for the cement manufacturing point source category (40 CFR Part 411) by revising § 411.35 to the materials storage piles runoff subcategory (Subpart C), pursuant to section 306(b) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1316(b) and 1317 (b) and (c), 86 Stat. 816 et seq.; Pub. L. 92-500) (the Act). On February 20, 1974 the EPA promulgated the effluent limitations guidelines for the cement manufacturing point source category by adding Part 411 to Title 40 of the Code of Federal Regulations (39 FR 6590). That regulation established effluent limitations and guidelines for existing sources based on the best practicable control technology currently available and the best available technology economically achievable. Also established were standards of performance for new sources and pretreatment standards for existing and for new sources.

Section 306 of the Act requires the achievement by new sources of a Federal standard of performance providing for the control of the discharge of pollutants which reflects the greatest degree of effluent reduction which the Administrator determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

Section 306(b) (1) (B) of the Act requires the Administrator to propose reg-

ulations establishing Federal standards of performance for categories of new sources included in a list published pursuant to section 306(b) (1) (A) of the Act. The Administrator published in the FEDERAL REGISTER of January 16, 1973, (38 FR 1624) a list of 27 source categories, including the cement manufacturing category. Standards of performance for new cement manufacturing sources were proposed in the FEDERAL REGISTER of September 7, 1973 (38 FR 24462) and promulgated on February 20, 1974 (39 FR 6590). Section 306(b) (1) (B) of the Act authorizes the Administrator in the event of changes in technology and alternatives to revise promulgated standards of performance. In revising Federal standards of performance the Administrator is to consider the cost of achieving the effluent reduction and any non-water quality environmental impact and energy requirements. Section 411.35, proposed below, revises the standards of performance applicable to new sources for the materials storage piles runoff subcategory (Subpart C) of the cement manufacturing point source category.

On February 20, 1974 standards of performance for new sources were promulgated specifying no discharge of pollutants for the materials storage piles runoff subcategory (Subpart C). That standard was based on several alternate technologies. For new wet process plants excess precipitation can be used as make-up water in the mixing of the raw materials. Runoff can be diverted from storage piles by means of diversion berms and ditches, thus minimizing the amount of contaminated storage piles runoff. The storage piles can be situated so as to prevent the discharge of contaminated runoff into navigable waters. Storage piles can also be covered to prevent any contaminated runoff from them.

Since the regulation was promulgated, the industry has decided to construct only totally dry process plants. This has resulted from the concern over fuel cost and availability, since the evaporation of the mixing water in a wet process requires considerable energy. For the same reason it is desirable to store the raw materials in locations where they can naturally dewater to the maximum extent. The storage of raw materials in rain-proof enclosures is a costly alternative which was assumed to be needed in only unusual situations. The present emphasis on building new plants which use the dry process will necessitate the extensive use of these enclosures.

Subsequently, Ideal Basic Industries and the Portland Cement Association representing several cement manufacturing companies petitioned the EPA to revise the new source standards for the materials storage piles runoff subcategory (Subpart C). After several meetings and discussions with the industry, sufficient documentation was presented to initiate review of the standards.

Based upon the data submitted and prior documentation, the Agency believes there is sufficient evidence to revise the standards of performance for new sources for the materials storage piles

runoff subcategory of the cement manufacturing point source category. Treated contaminated materials storage piles runoff will be allowed to be discharged. The Agency has not found sufficient data to justify making the effluent limitations more stringent than the promulgated limitations representing the best practicable control technology currently available and the best available technology economically achievable. Those limitations require discharges of materials storage pile runoff not to exceed 50 milligrams per liter of total suspended solids and to be within the pH range of 6.0 to 9.0. An untreated discharge is allowed during a major rainfall event if the treatment facilities are designed to handle the 10-year 24 hour precipitation event. These limitations can be achieved by the construction of diversion berms and ditches to exclude excess runoff from storage piles areas in order to minimize the volume of contaminated runoff that must be treated in adequately sized and designed sediment ponds with pH control, if necessary.

The proposed regulations will significantly reduce the capital cost of complying with the standards of performance, and the operating costs and energy requirements attributed to environmental controls will be the same as for existing sources.

The report entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Cement Manufacturing Point Source Category" and an errata for this report detail the analysis undertaken in support of the regulation being proposed herein and is available for inspection at the EPA Public Information Reference Unit, Room 2922 (EPA Library), Waterside Mall, 401 M St., SW., Washington, D.C. 20460, at all EPA regional offices, and at State water pollution control offices. Copies of the Development Document are available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. The errata for that report can be obtained by writing the Environmental Protection Agency, Effluent Guidelines Division, Washington, D.C. 20460, Attention: Distribution Officer, WH-552.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460, Attention: Distribution Officer, WH-552. Comments on all aspects of the proposed regulation are solicited. Criticisms as to the adequacy of the data relied upon by the Agency should be accompanied by new or additional data which the commenter thinks should have been used by the EPA in the development of this regulation. In the event comments address the approach taken by the Agency in establishing a standard of performance, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of section 306 of the Act.

A copy of all public comments will be available for inspection and copying at EPA Public Information Reference Unit, Room 2922 (EPA Library), Waterside Mall, 401 M Street, SW., Washington, D.C. A copy of the Development Document and errata and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before December 14, 1976, will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202).

Dated: October 12, 1976.

JOHN QUARLES,
Acting Administrator.

Subpart C—Materials Storage Piles Runoff Subcategory

Subpart C is proposed to be amended by revising § 411.35 to read as follows:

§ 411.35 Standards of performance for new sources.

(a) Subject to the provisions of paragraph (b) of this section the following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations
TSS -----	Not to exceed 50 mg/l.
pH -----	Within the range 6.0 to 9.0.

(b) Any overflow from facilities designed, constructed and operated to treat to the applicable limitations the precipitation and runoff resulting from a 10-year 24 hour precipitation event shall not be subject to the limitations of this section.

[FR Doc.76-30318 Filed 10-14-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 21, 81]

[Docket No. 19943; RM-1894; FCC 76-894]

DOMESTIC PUBLIC LAND MOBILE RADIO AND MARITIME SERVICES

Fixed Relay and Control Operations in Hawaii

Adopted: September 28, 1976.
Released: October 7, 1976.

In the matter of amendment of Parts 2, 21, and 81 of the Commission's Rules to permit fixed relay and control operations in the state of Hawaii on certain frequencies in the 76-108 MHz band in the Domestic Public Land Mobile Radio and Maritime Services.

1. On February 21, 1974, the Commission adopted a Notice of Proposed Rule Making (NPRM), in response to a petition (RM-1894) from Radiocall, Inc. (Radiocall), to amend the Commission's Rules as stated in the above caption. The NPRM was published in the FEDERAL REGISTER on March 7, 1974 (39 FR 8932). Comments and/or reply comments were received from the Hawaiian Telephone Company, Radiocall, and Heftel Broadcasting Honolulu, Inc.

2. In the Notice the Commission proposed to make available five channels (totaling 100 kHz) in the 107-108 MHz band for fixed relay and control operations in Hawaii. Radiocall had requested access to all of the unused portions (those frequencies not assigned to the Hawaiian Telephone Company) in the 76-108 MHz band. After studying the request in detail the Commission determined that five channels could be made available and it appeared that this would satisfy the immediate needs of the petitioner. However, in its comments Radiocall indicated that the proposed allocation would not provide sufficient spectrum to adequately satisfy its total long term control and fixed relay circuit requirements and that at least 2.5 MHz of spectrum would be necessary. Since it did not appear that this requirement could be met within the 76-108 MHz band, Radiocall concurrently filed a separate petition (RM-2364) requesting that TV Broadcast Channel 17 be reallocated for this purpose in Hawaii.

3. On December 2, 1974, the Commission received from Radiocall late comments suggesting that Radiocall be allowed to use the five frequencies proposed in the NPRM for control of its one-way paging operations on the island of Oahu. While the staff was reviewing this new requirement to determine the availability of the five frequencies for controlling one-way paging operations, Radiocall, through its attorneys, filed a letter dated May 14, 1976 requesting withdrawal of its petition. Although Radiocall's letter did not indicate any specific reason for withdrawing their petition, the staff has informally been advised that Radiocall hopes to fulfill its wideband control requirements (both one-way paging and two-way voice) through a petition (RM-2261) filed by the National Association of Radiotelephone System (NARS). The NARS petition, if granted, would allow access to the 952-960 MHz band by the Domestic Public Land Mobile Radio Service for control and repeater operations. Since none of the parties commenting in the subject rule making (RM-1894) supported the NPRM, the staff can see no justification for adopting the rule amendments proposed in the NPRM.

4. Radiocall's new petition (RM-2364) is currently under study, and in disposing of that petition, all relevant comments filed in Docket 19943 will be taken into consideration.

5. Accordingly, *It Is Ordered*, That proceedings in Docket 19943 are hereby

Terminated. *It Is Further Ordered*, That petition RM-1894 is hereby Denied.

FEDERAL COMMUNICATIONS
COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.76-30275 Filed 10-14-76;8:45 am]

[47 CFR Parts 81 and 83]

[Docket No. 20937; FCC 76-900]

VESSEL TRAFFIC SERVICES SYSTEMS

Proposed Addition of San Francisco and Seattle Ports to Designated Radio Protection Areas

Adopted: September 28, 1976.

Released: October 7, 1976.

In the matter of amendment of Parts 81 and 83 of the rules to add the ports of San Francisco and Seattle to the designated radio protection areas for Vessel Traffic Services purposes.

1. Notice of proposed rulemaking in this matter is hereby given.

2. In recent rule making proceedings in Dockets 20444 and 20717, we have provided, pursuant to U.S. Coast Guard requests, VHF frequencies in the Maritime Mobile Service for use in Coast Guard designated Vessel Traffic Services (VTS) areas in the ports of New York, New Orleans and Houston. The Coast Guard has now similarly requested that effective January 1, 1977, the frequency 156.6 MHz (channel 12) be designated for exclusive use in the San Francisco radio protection area and effective July 1, 1977, the frequency 156.7 MHz (channel 14) be designated for exclusive use in the Seattle radio protection area, for VTS purposes.

3. The rule changes proposed in the attached Appendix comply with this latest request of the Coast Guard.

4. The proposed amendments to the Commission's rules, as set forth in the attached Appendix, are issued pursuant to the authority contained in Sections 4(i) and 303(c), (h) and (r) of the Communications Act of 1934, as amended.

5. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before November 11, 1976, and reply comments on or before November 22, 1976. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding.

6. In accordance with the provisions of § 1.419 of the Commission's rules, an original and 11 copies of all statements, briefs or comments shall be furnished the Commission. All comments received in response to this notice of proposed rulemaking, will be available for public inspection in the Docket Reference Room in the Commission's Offices in Washington, D.C.

FEDERAL COMMUNICATIONS
COMMISSION,
VINCENT J. MULLINS,
Secretary.

Parts 81 and 83 of Chapter I of Title 47 of the Code of Federal Regulations are amended as follows:

In § 81.357 new paragraphs (b) (4) and (5) are added as follows:

§ 81.357 Frequencies available for use in Vessel Traffic Services Systems.

(b) * * *

(4) San Francisco, effective January 1, 1977: The rectangle between north latitudes 37°15' and 39° and west longitudes 121° and 123°; frequency 156.6 MHz.

(5) Seattle, effective July 1, 1977: From 49° North 121° West on the U.S.-Canadian Border, south to 46°30' North 121° West, then west to 46°30' North 125° West, then north to 48°30' North 125° West, then east to the U.S.-Canadian Border and thence along the U.S.-Canadian Border to 49° North 121° West; frequency 156.7 MHz.

In § 83.361 new paragraphs (b) (4) and (5) are added as follows:

§ 83.361 Frequencies available for use in Vessel Traffic Services Systems.

(b) * * *

(4) San Francisco, effective January 1, 1977: The rectangle between north latitudes 37°15' and 39° and west longitudes 121° and 123°; frequency 156.6 MHz.

(5) Seattle, effective July 1, 1977: From 49° North 121° West on the U.S.-Canadian Border, south to 46°30' North 121° West, then west to 46°30' North 125° West, then north to 48°30' North 125° West, then east to the U.S.-Canadian Border and thence along the U.S.-Canadian Border to 49° North 121° West; frequency 156.7 MHz.

[FR Doc.76-30276 Filed 10-14-76; 8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 211]

AVIATION FUEL ALLOCATION LEVELS Proposed Rulemaking and Public Hearing

The Federal Energy Administration ("FEA") hereby gives notice of a proposal to amend certain provisions of the Mandatory Petroleum Allocation Regulations relating to allocation levels of aviation fuels. FEA will receive written comments and hold a public hearing with respect to this proposal.

Evidence available to FEA suggests that significant adjustments are occurring within the aviation industry with respect to the nature of aviation operations and changes in the use of aviation facilities. Such changes are occurring as a result of increased use of aviation turbine fuel and a decrease in use of aviation gasoline largely due to the continuing conversion of various classes of aircraft fleets from piston-powered to jet-powered equipment. Similarly, airport facility operation and usage is changing. For example, many airport authorities

have separated civil air carrier facilities from facilities serving general aviation and public aviation. In some instances, general aviation usage of commercial airports has been restricted, necessitating relocation or redirection of such usage to other airports.

In connection with this, continuing fuel supply problems are currently being experienced by an increasing number of fixed base operators and the wholesale purchaser-consumers and end-users which they supply. FEA believes that many of the supply problems associated with these changes may be due to the fact that allocation levels for fixed base operators and many of their purchasers are established with reference to such firms' base period uses and to the apparent difficulty of adjusting such allocation levels under the regulations. In addition, overall demand for aviation fuels has increased substantially since the 1972 base year.

These changes within the industry and the apparent inadequacy of the regulations to permit allocation obligations to shift to correspond to current demand patterns are presenting a particularly severe problem to fixed base operators and their customers. FEA believes that the resultant supply dislocations are sufficiently widespread to warrant amendments to the regulations to provide to fixed base operators and their customers a more expeditious means of assuring predictable sources of fuel supplies. While the allocation program presently contains a number of provisions designed to respond to changed circumstances and special needs, only the Exceptions and Appeals process under Subpart D of Part 205 is currently available to adjust the base period uses for fixed base operators. Civil air carriers have been able to keep generally abreast of current needs because of the availability of adjustments as provided in § 211.145 to accommodate such factors as changes in routes, equipment, and traffic demand. It appears, however, that the pervasiveness of the fuel supply problems of fixed base operators is such that they should no longer be resolved by means of the exceptions process.

Accordingly, the FEA hereby proposes to adopt a new § 211.144 effective November 1, 1976, which would provide that fixed base operators are entitled to 100 percent of their current requirements subject to application of an allocation fraction for use in the conduct of an ongoing business of selling aviation fuels to wholesale purchaser-consumers and end-users.

The provisions proposed hereby would establish a fixed base operator's allocation entitlement with reference to the requirements of his customers rather than with reference to a base period volume as currently provided. The new § 211.144 would generally give fixed base operators a comparable basis for establishing an allocation entitlement as is currently provided to some wholesale purchaser-consumers and end-users of aviation fuels which are entitled to one

hundred percent of current requirements subject to application of an allocation fraction.

Because fixed base operators are resellers of fuel and not consumers of fuel, a new definition of "current requirements" applicable specifically to the activities of fixed base operators is also proposed. As proposed, the current requirements of a fixed base operator would be equal to the sum of the allocation entitlements of all its customers including base and transient customers.

FEA is aware of the difficulties that some fixed base operators could experience in determining their own allocation entitlements under the proposal with reference to the allocation entitlements of their transient purchasers. In cases where it is difficult for a fixed base operator to certify the actual allocation entitlements attributable to transient purchasers, the proposed definition of current requirements provides that the entitlements of such purchasers may be based on either amounts actually certified to the fixed base operator or on amounts equal to the volumes sold to transient purchasers in the immediately preceding calendar year. Comments on this particular aspect of the proposal are solicited including alternative methods of determining a fixed base operator's current requirements.

The intended effect of the proposed change with respect to establishing allocation levels for fixed base operators will be to permit fixed base operators to purchase volumes of fuel commensurate with actual requirements of their purchasers.

A definition of "fixed base operator" substantially identical to that contained in § 212.31 of the Mandatory Petroleum Price Regulations has also been proposed to be added which would appear at § 211.142.

In light of the foregoing, § 211.143 which establishes allocation levels for wholesale purchaser-consumers and end-users of aviation fuel is also proposed to be amended with respect to those customers which traditionally have obtained aviation fuel supplies from fixed base operators. Therefore, uses of aviation fuel for business flying, public aviation, personal flying, instructional flying and air travel club flying are proposed to be eligible for an allocation level of one hundred percent of current requirements subject to application of an allocation fraction. FEA believes that the proposed allocation level modifications for these uses, in conjunction with the proposed changes in allocation levels applicable to fixed base operators, will tend to alleviate substantially the aviation fuel supply dislocations currently occurring within these segments of the aviation industry.

The general rule establishing the allocation entitlements of wholesale purchaser-resellers contained in § 211.12(b) is also proposed to be amended to make reference to the proposed new § 211.144.

Interested persons are invited to participate in this rulemaking proceeding by submitting data, views, or arguments

with respect to the subject matter set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box JE, Washington, D.C. 20461.

Comments should be identified on the outside of the envelope and on documents submitted to FEA Executive Communications with the designation "Aviation Fuel Allocation Levels". Fifteen copies should be submitted. All comments received by October 27, 1976, and all relevant information, will be considered by the Federal Energy Administration. Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to that determination.

The public hearing will be held at 9:30 a.m. on October 27, 1976 in Room 2105, 2000 M Street, NW., Washington, D.C.

Any person who has an interest in the subject matter of the hearing, or who is a representative of a group or class of persons that has such an interest, may make a written request for an opportunity to make an oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., October 20, 1976.

Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he or she is a proper representative of a group or class of persons that has such an interest and to give a concise summary of the proposed oral presentation and a phone number where he or she may be contacted through October 22, 1976. Each person selected to be heard will be so notified by FEA before 4:30 p.m. e.d.t., October 22, 1976, and must submit 100 copies of his or her statement to Allocation Regulation Development Office, FEA, Room 2214, 2000 M Street, NW., Washington, D.C. before 4:30 p.m., e.d.t., on October 26, 1976.

FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or evidentiary-type hearings. Questions may be asked only by those conducting the hearings, and there will be no cross-examination of persons presenting statements. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he or she so desires, to make a rebuttal statement. The rebuttal statements will be given in

the order in which the initial statements were made and will be subject to time limitations.

Any interested persons may submit questions, to be asked of any person making a statement at the hearings, to Executive Communications, FEA before 4:30 p.m., e.d.t., October 22, 1976. Any person who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer: FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether the time limitations permit it to be presented for answer.

Any further procedural rules need for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearing will be made and the entire record of the hearings, including the transcript, will be retained by FEA and made available for inspection at the Freedom of Information Office, Room 2107, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

As required by section 7(c)(2) of the Federal Energy Administration Act of 1974, Pub. L. 93-275, a copy of this notice has been submitted to the Administrator of the Environmental Protection Agency for his comments concerning the impact of this proposal on the quality of the environment. The Administrator had no comments.

This proposal has been reviewed in accordance with Executive Order 11821, issued November 27, 1974, and has been determined not to be of a nature that requires an evaluation of its inflationary impact pursuant to Executive Order 11821.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended, Pub. L. 93-511, Pub. L. 94-89, Pub. L. 94-133, Pub. L. 94-163, and Pub. L. 94-385; Federal Energy Administration Act of 1974, Pub. L. 93-275, as amended, Pub. L. 94-385; Energy Policy and Conservation Act, Pub. L. 94-163, as amended, Pub. L. 94-385; E.O. 11790, 39 FR 23185; E.O. 11933, 41 FR 36641.)

In consideration of the foregoing, it is proposed to amend Part 211, Chapter II of Title 10, Code of Federal Regulations, as set forth below.

Issued in Washington, D.C., October 8, 1976.

MICHAEL F. BUTLER,
General Counsel.

1. Section 211.12 is amended in subparagraph (1) of paragraph (b) to read as follows:

§ 211.12 Purchaser's allocation entitlement.

(b) *Entitlements*—(1) *Wholesale purchaser-reseller*. A wholesale purchaser-reseller, other than a fixed base operator whose allocation entitlement for aviation fuels is determined as provided in § 211.144, shall be entitled to receive a volume of an allocated product

equal to the sum of the volumes allocable to it from each of its suppliers. The volume supplied to a wholesale purchaser-reseller by each of its suppliers shall equal the sum of (i) any amounts which that purchaser has certified to a supplier to be for ultimate use under an allocation level not subject to an allocation fraction plus (ii) the product of that supplier's allocation fraction multiplied by an amount equal to that part of that wholesale purchaser's base period use purchased or obtained from that supplier minus any amounts which that purchaser has certified to be for ultimate use under an allocation level not subject to an allocation fraction.

2. Section 211.142 is amended to add new definitions of "current requirements" and "fixed base operator" in appropriate alphabetical sequence as follows:

§ 211.142 Definitions.

"Current requirements" means current requirements as defined in § 211.51, except that as to a fixed base operator, current requirements means the sum of the volumes of aviation fuels that the based and transient wholesale purchaser-consumers and end-users supplied by such fixed base operator are entitled to purchase under the allocation levels prescribed in § 211.143. For the purpose of determining a fixed base operator's current requirements, the allocation entitlements of transient purchasers shall be an amount equal to either the total volumes certified to the fixed base operator by such purchasers or the total volumes sold to transient purchasers in the corresponding quarter of the preceding calendar year.

"Fixed base operator" means a firm or that portion of a firm which maintains facilities at an airport for the purpose of (1) engaging in the retail sale of aviation fuels primarily to purchasers other than (a) scheduled or supplemental air carriers certificated by the Civil Aeronautics Board pursuant to 49 U.S.C. 1371 or (b) the Department of Defense; and (2) performing one or more of the following general aviation activities: (a) Aircraft maintenance, servicing, parking, tie-down, storage and other aircraft services; (b) baggage and cargo handling and other passenger/freight services; and (c) maintenance of avionics equipment and systems.

3. Section 211.143 is amended in paragraph (c) to read as follows:

§ 211.143 Allocation levels.

(c) *Allocation levels subject to an allocation fraction*. (1) One hundred (100) percent of current requirements (as reduced by application of an allocation fraction) for the following uses:

- (i) Emergency aviation services, safety and mercy missions;
- (ii) Energy production flying;

(iii) Aircraft manufacturing but not to exceed one hundred thirty (130) percent of base period use;

(iv) Telecommunications flying;

(v) Business flying, including requirements for crew training and proficiency flying;

(vi) Public aviation;

(vii) Personal non-business flying;

(viii) Instructional flying; and

(ix) Air travel club flying, including requirements for crew training and proficiency flying.

(2) One hundred (100) percent of base period use (as reduced by application of an allocation fraction) for the following uses:

(i) Domestic, supplemental and scheduled cargo air carriers, including requirements for crew training and proficiency flying;

(ii) International air carriers, including requirements for crew training and proficiency flying—the total of both bonded and non-bonded fuels;

(iii) Intrastate carriers, including requirements for crew training and proficiency flying;

(iv) Local service air carriers, including requirements for crew training and proficiency flying;

(v) Other air carriers, including requirements for crew training and proficiency flying; and

(vi) Non-flying use of aviation fuels;

4. Part 211 is amended by adding a new § 211.144 to read as follows:

§ 211.144 Fixed base operators.

Notwithstanding the general provisions of § 211.12(b) (1), fixed base operators are entitled to receive from their suppliers an amount of aviation fuel equal to one hundred (100) percent of current requirements as reduced by the application of the supplier's allocation fraction for use in the conduct of an ongoing business of selling aviation fuels to wholesale purchaser-consumers and end-users.

[FR Doc.76-30237 Filed 10-12-76; 12:49 pm]

POSTAL RATE COMMISSION

[39 CFR Part 3001]

[Docket No. RM77-1]

POSTAL SERVICE DETERMINATIONS TO CLOSE OR CONSOLIDATE POST OFFICES

Appeals Procedures

OCTOBER 7, 1976.

Pursuant to 5 U.S.C. 553, and 39 U.S.C. 404(b) and 3603, the Commission gives notice that it proposes to amend certain sections of 39 CFR Part 3001, Subpart A, and to add a new Subpart H to implement procedures governing appeals of determinations of the United States Postal Service to close or consolidate any post office.

Section 9(a) of the Postal Reorganization Act Amendments of 1976 (Pub. L. 94-421) has added a new § 404(b) to title 39 which circumscribes the specific power of the Postal Service contained in 39 U.S.C. 404(a) to "determine the need

for post offices." The statute creates a set of substantive criteria which must be considered by the Postal Service in making any determination to close or consolidate a post office and establishes procedures whereby the rights of affected postal patrons to adequate service can be protected through sufficient notice of intended closing or consolidation, the opportunity for hearing on the record, a written determination which specifies the reasons for any closing or consolidation, and the right of appeal to the Postal Rate Commission. During the pendency of any appeal the Commission may suspend the effectiveness of the determination to close or consolidate which is under review.

Adequate notice of the intention of the Postal Service to close or consolidate any post office must be given to persons served by that facility at least 60 days prior to the proposed action. The opportunity to present information relevant to the proposed action, including the opportunity for a hearing, must be accorded to these patrons. Thereafter, a determination by the Postal Service to close or consolidate must be in writing and must include specific findings regarding each of the criteria set forth in 39 U.S.C. 404(b) (2). This written determination, in turn, is to be made available to affected postal patrons at least 60 days prior to closing or consolidation. Continuing the time sequence, local postal patrons, aggrieved by this determination, have 30 days after it has been made available to them in which to appeal to this Commission. In reviewing a determination to close or consolidate a post office, the Commission may affirm, set aside, or remand for further consideration based upon the appellate standards of 39 U.S.C. § 404(b) (5). It should be noted that a strict time frame of 120 days is imposed upon all appellate action of this Commission, from inception of appeal to issuance of the decision.

Proposed amendments to 39 CFR Part A are designed to expand the scope of certain rules of general application of fit the requirements of appellate practice. Section 3001.5 would be amended to add a new paragraph "(m)" defining the term "appellant." Section 3001.7(a) would be amended to include appellate proceedings under new Subpart H within the proscription of ex parte communications. Section 3001.12(d) would be amended to require the Secretary of this Commission to serve a copy of the official service list in any appellate proceeding on the postmaster of the affected post office with instructions that it be prominently displayed for the information of postal patrons. A new paragraph "(b)" to § 3001.17 would be added to govern the issuance of notice in appellate proceedings, in distinction to proceedings subject to hearing on the record. A new paragraph "(c)" to § 3001.17 would be added in lieu of existing paragraph "(b)", which would include appellate proceedings within the provision governing the publication and service of notice of proceedings. Finally, a new

paragraph "(d)" to § 3001.17 would be added, in lieu of existing paragraph "(c)", expanding the requirements of the contents of a notice of proceedings before the Commission.

The Commission also proposes a new Subpart H to 39 CFR, "Rules Applicable to Appeals of Postal Service Determinations to Close or Consolidate Post Offices." New §§ 3001.110 through 3001.117 generally are modeled upon the Federal Rules of Appellate Procedure, 28 U.S.C., which govern the United States Courts of Appeals in the review of orders of administrative agencies. In instances where sections within Subpart H are borrowed from the Federal Rules, time requirements for pleading have been significantly tightened in recognition of the statutory 120 day limitation placed upon the appellate deliberation of this Commission by 39 U.S.C. 404(b) (5).

New § 3001.110 would govern the application of proposed Subpart H to appellate proceedings. The right of appeal is strictly limited to local patrons of the post office to be closed or consolidated, consistent with the language of 39 U.S.C. 404(b) (5).

Section 3001.111 would require that appeals be initiated by means of a petition for review, filed with the Commission within 30 days after the Postal Service issues a written determination to close or consolidate a post office as prescribed by statute. Consistent with the requirement imposed upon appellants, intervention is limited to persons served by the affected post office.

Section 3001.112 follows the language of 39 U.S.C. 404(b) (1) through (3) to include in the appellate record all documentation which the Postal Service is required to provide to local postal patrons (including notice of proposed action), plus all materials filed in response by interested persons. The record is to contain all evidence considered by the Postal Service in making a determination to close or consolidate; extraneous, non-record evidence will not suffice on appeal, governed by the standard of "substantial evidence on the record" contained in 39 U.S.C. 404(b) (5) (C). The Commission stresses the fact that its appellate proceedings may not be viewed as an opportunity for de novo review of the evidence. The record on review shall not include any evidence not previously considered by the Postal Service in making the determination under review.

Section 3001.113 would require the Postal Service to file the record on review expeditiously, within 15 days after service on it of the petition for review.

Section 3001.114 would govern an application for suspension of a Postal Service determination to close or consolidate a post office, which the Commission may grant pursuant to 39 U.S.C. 404(b) (5). Consistent with precedent, applicants would be expected to present all facts and reasons necessary to meet the four criteria for suspension of an administrative decision established in *Virginia Petroleum Jobbers Association v. FPC*,

259 F.2d 921 (D.C. Cir. 1958). The requirement that an application for suspension be made at the time of filing of a petition for review, or for leave to intervene, is necessitated by the overall time limitations imposed upon appellate proceedings before the Commission.

Section 3001.115 would govern the content and time requirements for the filing of appellant's initial and reply briefs and for the answering brief of the Postal Service. These requirements would also apply to the briefs of intervenors.

Section 3001.116 would create a right of participation in appellate proceedings for those who are not local patrons of the post office to be closed or consolidated. Briefs of amicus curiae would be permitted when in the opinion of the Commission, or that of all parties to an appeal, they would facilitate the illumination of the issues on review.

Finally, § 3001.117 would require the Secretary of this Commission to serve appellate pleadings, notices, orders, etc., upon postmasters of post offices affected by the determination under review with the direction that they be publicly displayed. It is the intention of the Commission that all information relevant to an appeal be made available locally to postal patrons. Should a postmaster fail to comply with this directive, it would be incumbent upon any appellant, intervenor, or other interested person to bring the matter to the attention of the Commission, where it will be deemed adequate grounds for suspension of the determination pending review.

In consideration of the foregoing, the Commission proposes amendments and additions to 39 CFR Part 3001 which would govern all procedural aspects of such appeals as follows:

Subpart A—Rules of General Applicability

1. By adopting a new § 3001.5(m) to read as follows:

§ 3001.5 Definitions.

(m) "Appellant" means a person who as permitted by section 404(b) of the Act appeals to the Commission a determination of the Postal Service to close or consolidate a post office.

2. By revising § 3001.7(a) to read as follows:

§ 3001.7 Ex Parte communications.

(a) *Prohibition.* To avoid the possibility or appearance of impropriety or of prejudice to the public interest and persons involved in proceedings pending before the Commission, no person who is a party to any on-the-record proceeding, or a proceeding conducted pursuant to Subpart H of this part, or who is granted limited participation in accordance with § 3001.19(a) or his counsel, agent, or other person acting on his behalf, nor any interceder, shall volunteer or submit to any member of the Commission or member of his personal staff, to the presiding officer, or to any employee of the Commission, any ex parte off-the-record communication regarding any matter, either substantive or procedural, which

is at issue, or any substantive matter which is likely to be at issue in the on-the-record proceeding, except as authorized by law; and no Commissioner, member of his personal staff, presiding officer, or employee of the Commission, shall request or entertain any such communication. For the purposes of this section, the term "on-the-record proceeding" means a proceeding noticed pursuant to § 3001.17(a). The prohibitions of this paragraph shall apply from the date of issuance of such notice. The prohibitions of this section do not apply to a communication between a participant or a limited participant and the Officer of the Commission designated to represent the interest of the general public (or his staff or the technical staff designated to support him), if such communication relates to matters of procedure only, including matters arising in the course of requests for interrogatories or discovery and informal requests for clarification of evidentiary material. Said Officer shall file with the Commission a monthly report briefly describing any ex parte communication received pursuant to this exception, and this report, which shall be a public record of the Commission, shall identify the individuals involved and the nature of the subject matter discussed.

3. By amending § 3001.12(d) to read as follows:

§ 3001.12 Service of documents.

(d) *Service list.* The Secretary shall maintain a current service list in each proceeding which shall include the participants in that proceeding and the person or persons designated for service of documents by each party with the address designated in the party's initial pleading in such proceeding or a notice of appearance as provided in § 3001.6(c); *Provided, however,* The Secretary is not required to include on such list more than two designated representatives for any party to the proceeding. The service list shall show the participants actively participating in the hearing and representative groups established pursuant to paragraph (c) of this section. Service on the persons, active participants or groups on the Secretary's service list in any proceeding, as directed by the Commission or hearing officer, shall be deemed service in compliance with the requirements of this section. In the instance of a proceeding conducted pursuant to Subpart H of this Part, the Secretary shall additionally serve a copy of the service list on the postmaster(s) of post office(s) proposed to be closed or consolidated with the instruction that such list be posted within the post office(s) in a place reserved for prominent display of information to postal patrons.

4. By revising § 3001.17 (b), (c), and (d) to read as follows:

§ 3001.17 Notice of proceedings.

(b) *Appellate proceedings under 39 U.S.C. 404(b).* The Commission shall

issue a notice of proceeding to be determined on a record compiled by the Postal Service whenever:

(1) An appeal of a determination of the Postal Service to close or consolidate a post office is taken to the Postal Rate Commission pursuant to Subpart H of this Part; or

(2) An application to suspend the effective date of a determination of the Postal Service to close or consolidate a post office pending appeal to the Postal Rate Commission is made pursuant to Subpart H of this Part.

(c) *Publication and service of notice.* Each notice of proceeding shall be published in the FEDERAL REGISTER and served on the Postal Service, the complainant in a complaint proceeding, and the appellant in the appeal of a Postal Service determination to close or consolidate a post office.

(d) *Contents of notice.* The notice of a proceeding shall include the following:

(1) The general nature of the proceeding involved in terms of categories listed in paragraphs (a) and (b) of this section;

(2) A reference to the legal authority under which the proceeding is to be conducted;

(3) A concise description of proposals for changes in rates of fees, proposals for the establishment of or changes in the mail classification schedule, proposals for changes in the nature of postal services, in the case of a complaint, an identification of the complainant, and a concise description of the subject matter of the complaint or, in the case of an appeal, an identification of the appellant and a summarization of the Postal Service determination to close or consolidate under review;

(4) The date by which petitions for leave to intervene and requests for hearing must be filed; and

(5) Such other information as the Commission may desire to include.

5. By adding a new Subpart H, initially containing §§ 3001.110 through 3001.117, to read as follows:

Subpart H—Rules Applicable to Appeals of Postal Service Determinations To Close or Consolidate Post Offices

Sec.	
3001.110	Applicability.
3001.111	Initiation of review proceedings.
3001.112	Record on review.
3001.113	Filing of record.
3001.114	Suspension pending review.
3001.115	Briefs on appeal.
3001.116	Briefs on amicus curiae.
3001.117	Service of documents on postmasters of affected post offices.

AUTHORITY: Sections 404(b), 3603 of the Postal Reorganization Act; 39 U.S.C. 404(b), 90 Stat. 1303; 39 U.S.C. 3603, 84 Stat. 750; 5 U.S.C. 553, 80 Stat. 383.

Subpart H—Rules Applicable to Appeals of Postal Service Determinations To Close or Consolidate Post Offices

§ 3001.110 Applicability.

Rules in this Subpart govern the procedure regarding the appeal of a determination of the Postal Service to close or consolidate a post office by patrons of the post office in question. Pursuant to section 404(b) of the Act any decision

to close or consolidate a post office must be preceded by 60 days notice to persons served by such post office, the opportunity for a hearing on the record, and a written determination based upon consideration of each of the factors listed in section 404(b)(2) of the Act. Appeal to this Commission may be taken by an aggrieved local patron within 30 days after the issuance of a written determination by the Postal Service. The Rules of General Applicability in Subpart A of this Part, which do not relate solely to evidentiary proceedings on the record, are also applicable to proceedings subject to this Subpart.

§ 3001.111 Initiation of review proceedings.

(a) *Petition for review.* Review of a determination of the Postal Service to close or consolidate a post office shall be obtained by filing a petition for review with the Secretary of this Commission within 30 days after the Service has made available to persons served by that post office the written determination to close or consolidate required by 39 U.S.C. 404(b)(3)-(4).

The petition shall specify the parties seeking review, all of whom must be persons served by the post office proposed to be closed or consolidated and shall identify the Postal Service as respondent. A copy of the Postal Service written determination shall be appended to the petition for review as an exhibit thereto. If two or more persons are entitled to petition for review of the same determination and their interests are such as to make joinder practicable, they may file a joint petition for review and may thereafter proceed as a single petitioner.

(b) *Intervention.* A person served by the post office to be closed or consolidated pursuant to the Postal Service written determination under review who desires to intervene in the proceeding shall file with the Secretary of the Commission and serve upon all parties a petition for leave to intervene. The petition shall contain a concise statement of the interest of the moving party and the grounds upon which intervention is sought. A petition for leave to intervene shall be filed within 20 days of the date on which the petition for review is filed. The provisions of § 3001.20(c)-(f) of Subpart A of this part shall apply to petitions for leave to intervene in review proceedings.

§ 3001.112 Record on review.

The written determination sought to be reviewed or enforced, the conclusions and findings upon which it must be based under section 404(b)(3) of the Act, and the notices to local patrons, pleadings, evidence and proceedings before the Postal Service shall constitute the record on review. The record shall contain all evidence considered by the Postal Service in making its determination, and shall contain no evidence not previously considered by the Postal Service.

§ 3001.113 Filing of record.

(a) *Time for filing of the record by the Postal Service.* The Postal Service shall file the record with the Secretary of the Commission within 15 days after service on it of the petition for review. The Commission may shorten or extend the time prescribed above. The Secretary shall give notice to all parties of the date on which the record is filed.

(b) *Composition of the filing.* The Postal Service may file the entire record or such parts thereof as the parties may designate by stipulation filed with the Postal Service. The original papers in the Postal Service proceeding or certified copies thereof may be filed. All parts of the record retained by the Postal Service shall be a part of the record on review for all purposes.

§ 3001.114 Suspension pending review.

(a) *Application.* Application for suspension of a determination of the Postal Service to close or consolidate any post office pending the outcome of an appeal to the Postal Rate Commission shall be made at the time of the filing of a petition for review or of the filing of a petition for leave to intervene in an extant appellate proceeding. The application shall show the reasons for the relief requested and the facts relied upon, and if the facts are subject to dispute the application shall be supported by affidavits or other sworn statements or copies thereof. The applicant must be a person served by the affected post office. With the application shall be filed such parts of the record as are relevant to the relief sought. Immediate notice of the application shall be given to all parties to the proceeding. The application shall be filed with the Secretary of the Commission.

(b) *Answer by the U.S. Postal Service.* Within 10 days after the application for suspension is filed, the Postal Service shall file with the Secretary of the Commission and serve on the petitioners an answer to the application.

§ 3001.115 Briefs on appeal.

(a) *Appellant's initial brief.* The initial brief of the appellant shall be filed with the Secretary of the Commission and served on all parties 30 days after the filing of the petition for review of a decision to close or consolidate a post office. The brief will be limited in length to 30 pages, typewritten and double spaced, and shall include the following in the order indicated:

(1) A subject index with page references, and a list of all cases and authorities relied upon, arranged alphabetically, with references to the pages where the citation appears;

(2) A concise statement of the case from the viewpoint of the filing participant;

(3) A clear, concise and definitive statement of the position of the author as to the merits of the determination under review;

(4) A discussion of the evidence, reasons, and authorities relied upon with

exact references to the record and the authorities; and

(5) Proposed holding with appropriate references to the record or the prior discussion of the evidence and authorities relied upon, and to the appellate criteria of section 404(b)(5) of the Act.

Briefs before the Commission shall be completely self-contained and shall not incorporate by reference any portion of any other brief, pleading or document. Testimony and exhibits shall not be quoted or included in briefs except for short excerpts pertinent to the argument presented.

(b) *Answering brief of the Postal Service.* The answering brief of the Postal Service shall be filed 15 days after the date designated for filing of the appellant's brief and shall follow the format detailed in paragraph (a) of this section.

(c) *Reply brief.* The appellant may file a brief in reply to the brief of the Postal Service 15 days after the date designated for filing of that brief, which shall be strictly limited in content to reply to arguments made by the Postal Service. It shall conform to the format detailed in paragraph (a) of this section.

(d) *Intervenor briefs.* An intervenor shall file its brief within the time allowed for initial and reply, or answering, briefs, as appropriate and shall follow the format detailed in paragraph (a) of this section.

§ 3001.116 Briefs of amicus curiae.

A brief of an amicus curiae may be filed only if accompanied by written consent of all parties, or by leave of the Commission granted on motion or at the request of the Commission, except that consent or leave shall not be required when the brief is presented by the United States or an elected official, officer or agency thereof, or by a State, Territory or Commonwealth. The brief may be conditionally filed with the motion for leave. A motion for leave shall identify the interest of the applicant and shall state the reasons why a brief of an amicus curiae is desirable. An amicus curiae shall limit its brief to the issue in which it has interest and file its brief within the time allowed the party whose position as to affirmance or reversal the amicus brief will support.

§ 3001.117 Service of Documents on postmasters of affected post offices.

In all proceedings conducted pursuant to this Subpart E, the Secretary of the Commission shall serve a copy of all pleadings, notices, orders, briefs and opinions on the postmaster(s) in charge of the post office(s) affected by the determination to close or consolidate which is under review. The Secretary shall provide instruction that the notice be displayed within the post office(s) in a place reserved for prominent display of information to postal patrons. Failure by the postmaster(s) to prominently display any document served on him or her by the Secretary of the Commission pursuant to this Section shall be deemed sufficient reason to suspend the effectiveness

of the Postal Service determination under review until final disposition of the appeal.

Comments are invited regarding the efficacy and fairness of the proposed rules which are to be filed by November 22, 1976. Any replies to such comments are to be filed by December 13, 1976. An original plus 19 fully conformed copies of all comments and replies must be filed with the Secretary of the Commission at the offices of the Postal Rate

Commission, 2000 L Street, NW., Washington, D.C. 20268.

(Secs. 404(b), 3603 of the Postal Reorganization Act; 39 U.S.C. 404(b), 90 Stat. 1303; 39 U.S.C. 3603, 84 Stat. 759; 5 U.S.C. 553, 80 Stat. 383.)

By the Commission.

DAVID F. HARRIS,
Acting Secretary.

[FR Doc.76-30218 Filed 10-14-76;8:45 am]

the statement in advance to the Commander, Military Airlift Command, Attention: Executive Agent, Military Airlift Committee, Scott Air Force Base, Illinois 62225. Formal written statements may be submitted to the Commander at any time before or after the meeting.

For additional information concerning this meeting, contact Colonel Floyd D. Castleman (Executive Agent), at (618) 256-3025.

FRANKIE S. ESTEP,
Air Force Federal Register Liaison Officer, Directorate of Administration.

[FR Doc.76-30197 Filed 10-14-76;8:45 am]

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

ADVISORY COMMITTEE TO THE ADMINISTRATOR ON STANDARDS FOR THE ADMINISTRATION OF JUVENILE JUSTICE Meeting

Notice is hereby given that the Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice, a subdivision of the National Advisory Committee on Juvenile Justice and Delinquency Prevention will meet Friday and Saturday, November 5 and 6, 1976 in Washington, D.C. The meeting is scheduled to convene at 9:00 a.m. on Friday, November 5, at the Grammercy Inn, Room 227, 1616 Rhode Island Avenue, N.W., Washington, D.C. The meeting is scheduled to run until 9:00 p.m. Friday, and will adjourn by 3:30 p.m. on Saturday, November 6th.

Discussion at the meeting will focus on preparation of standards on delinquency prevention, custodial programs, and privacy of records.

The meeting will be open to the public.

For further information, please contact: Richard Van Duizend, National Institute of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue, N.W., Fourth Floor, Washington, D.C. 20531, (202) 376-3952.

JAY A. BROZOST,
Attorney-Advisor,
Office of General Counsel.

[FR Doc.76-30263 Filed 10-14-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[INT FES 76-52]

NAVAJO INDIAN IRRIGATION PROJECT

Availability of Final Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act, the Department of the Interior has prepared a Final Environmental Statement for the Navajo Indian Irrigation Project, as authorized by Pub. L. 87-483, which is located in San Juan County, New Mexico.

The Environmental Statement considers human and physical environmental effects associated with the construction and operation of the 216,843 acre irrigation project which includes 110,630 acres being sprinkler irrigated by water diverted from the San Juan River at the Navajo Dam.

Copies are available for inspection at the following locations:

Bureau of Indian Affairs, Division of Trust Facilitation, Room 4554—Department of Interior Bldg., Washington, D.C. 20245. Telephone: (202) 343-4004.

Bureau of Indian Affairs, Navajo Area Office, Window Rock, Arizona 86515. Telephone: (602) 871-4366.

Bureau of Indian Affairs, Shiprock Agency, Shiprock, New Mexico 87420. Telephone: (505) 368-4427.

Bureau of Indian Affairs, Eastern Navajo Agency, Crownpoint, New Mexico 87313. Telephone: (505) 786-5226.

Copies of the Final Environmental Statement may be obtained from the Navajo Area Office, Bureau of Indian Affairs.

Date: October 12, 1976.

STANLEY D. DOREMUS,
Deputy Assistant Secretary
of the Interior.

[FR Doc.76-30190 Filed 10-14-76;8:45 am]

ALASKA

Filing of Plat of Survey

1. Plat of survey of the lands described below will be officially filed in the Alaska State Office, Anchorage, Alaska, 555 Cordova Street, Anchorage, Alaska 99501, effective at 10:00 a.m. November 15, 1976.

COPPER RIVER MERIDIAN, ALASKA

T. 4 N., R. 6 W.

Sec. 31: Lots 1 to 17 inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

Sec. 32: Lots 1, 2, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ Tract A

Containing 22,280.28 acres.

2. The center of this township is located approximately 25 miles west of Glennallen, Alaska. The terrain is broken. Numerous small lakes are scattered throughout the township.

Vegetation consists of small to medium spruce with willow underbrush abundant. Soil consists generally of sandy loam with a humus and moss overburden.

The Glenn Highway extends easterly through this township from its intersection with the south township boundary near the southwest corner of the township.

3. The public lands affected by this order are open to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, including Public Land Order 5418, filed March 28, 1974, and the requirements of applicable law, rules and regulations.

4. Inquiries concerning the lands should be addressed to the Alaska State Office, 555 Cordova Street, Anchorage, Alaska 99501.

Dated: October 4, 1976.

IRVING ZIRPEL, Jr.,
Chief, Division of
Cadastral Survey.

[FR Doc.76-30204 Filed 10-14-76;8:45 am]

Bureau of Land Management

[Wyoming 56846]

WYOMING

Application

OCTOBER 6, 1976.

Notice is hereby given that pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Champlin Petroleum Company of Englewood, Colorado, filed an application for a right-of-way to construct to 10 $\frac{3}{4}$ inch pipeline for the purpose of transporting natural gas across the following described National Resource Lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 19 N., R. 98 W.,

sec. 30, lot 8, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;

sec. 32, N $\frac{1}{2}$ N $\frac{1}{2}$;

sec. 34, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;

sec. 36, SW $\frac{1}{4}$.

The pipeline will be used as a gathering line to transport natural gas to connect the Texaco Table Rock Station in sec. 36, T. 19 N., R. 98 W. with Champlin Petroleum Company's Patrick Draw Gas Plant in sec. 25, T. 19 N., R. 99 W., Sweetwater County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, 1300 Third Street, P.O. Box 670, Rawlins, Wyoming 82301.

HAROLD G. STINCHCOMB,
Chief, Branch of Lands and
Minerals Operations.

[FR Doc.76-30209 Filed 10-14-76;8:45 am]

[Colorado 24424]

COLORADO

Pipeline Application

OCTOBER 4, 1976.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Rio Blanco Oil Shale Project, 9725 E. Hampden Avenue, Denver, Colorado 80231, has applied for a right-of-way for a 10-inch shale oil pipeline across the following lands:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 1 N., R. 100 W.,
Section 7, 17, 18, 20, 21, 26, 27, 28, 35
T. 1 N., R. 101 W.,
Section 4, 5, 7, 8, 9, 10, 11, 12, 15
T. 1 N., R. 102 W.,
Section 3, 4, 10, 11, 12
T. 1 S., R. 99 W.,
Section 19, 28, 29, 30
T. 1 S., R. 100 W.,
Section 2, 11, 12, 13

The purpose of this project is to enable the applicant to transport pipelineable shale oil (and ultimately upgraded shale oil) from Federal Oil Shale Lease Tract C-a to AMOCO's Rangely Station from which point it will be transported through AMOCO's existing 10-inch pipeline to other connecting carriers for ultimate delivery to Western and Midwestern refineries.

The purposes of this notice are: to inform the public that the Bureau of Land Management is proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved and, if so, under what terms and conditions; to allow interested parties to comment on the application; and to allow any persons asserting a claim to the lands or having bona fide objections to the proposed pipeline right-of-way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections to the proposed pipeline right-of-way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections to the proposed pipeline right-of-way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections to the proposed pipeline right-of-way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections to the proposed pipeline right-of-way to file their objections in this office.

RODNEY A. ROBERTS,
Acting Chief, Branch of
Land Operations.

[FR Doc.76-30205 Filed 10-14-76; 8:45 am]

[Colorado 24402]

IDAHO

Pipeline Application

OCTOBER 1, 1976.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), I.G.C. Production Company, 550 S. Cole Road, P.O. Box 7608, Boise, Idaho 83707, has applied for a right-of-way for a 6-inch trunkline and 3-inch natural gas pipeline and compressor site totaling ten miles across the following public lands in Rio Blanco County, Colorado:

RIO BLANCO COUNTY, COLORADO

T. 3 S., R. 100 W., 6th P.M.
Section 6: Lot 6, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lot 19
T. 3 S., R. 101 W., 6th P.M.
Section 1: E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 7, 8
Section 2: SE $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 11: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

T. 2 S., R. 101 W., 6th P.M.
Section 21: S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 22: Lots 1, 3, 8, 9, S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27: Lots 1, 16, 17, 21 and 24
Section 34: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$
Section 35: Lots 1, 4, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 36: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

The facilities will enable applicant to make natural gas from shut-in wells available for industrial and domestic use.

The purposes of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved and, if so, under what terms and conditions; to allow interested parties to comment on the application; and to allow any persons asserting a claim to the lands or having bona fide objections to the proposed natural gas gathering pipeline right-of-way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant.

Any comment, claim, or objections must be filed with the Chief, Branch of Land Operations, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, as promptly as possible after publication of this notice.

MERRILL G. ANDERSON,
Acting Chief, Branch of
Land Operations.

[FR Doc.76-30207 Filed 10-14-76; 8:45 am]

UTAH

Applications

In the matter of Department of the Interior, Bureau of Land Management, University Club Building, 136 East South Temple, Salt Lake City, Utah 84111. Under the provisions of Section 2275 and 2276 of the Revised Statutes (43 U.S.C. Sec. 851, 852), the State of Utah has filed applications U-0147222 et. al., to select the following described lands:

UTAH COUNTY, UTAH

SALT LAKE MERIDIAN

T. 10 S., R. 23 E.,
Sec. 23, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26, E $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 34, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 35, All.
Containing 1,640.00 Acres
T. 11 S., R. 22 E.,
Sec. 1, All;
Sec. 11, E $\frac{1}{2}$;
Sec. 12, All;
Sec. 13, All;
Sec. 14, NE $\frac{1}{4}$;
Sec. 24, All;
Sec. 25, All.
Containing 3,741.28 Acres
T. 12 S., R. 23 E.,
Sec. 1, Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.
Containing 240.00 Acres

T. 10 S., R. 23 E.,
Sec. 13, Lots 1, 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 19, Lots 1, 2, 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$;
Sec. 29, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 22, SE $\frac{1}{4}$;
Secs. 23 to 27 inclusive;
Sec. 28, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 29, All;
Sec. 30, Lots 1, 2, 3, 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 31, All;
Sec. 33, All;
Sec. 34, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, All.
Containing 8,726.78 Acres
T. 11 S., R. 23 E.,
Sec. 1 lots 1 to 17 inclusive; SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 3 to 11 inclusive;
Sec. 12 lots 1 to 6 inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Secs. 13 to 15 inclusive;
Secs. 17 to 31 inclusive;
Secs. 33 to 35 inclusive.
Containing 20,557.53 acres
T. 12 S., R. 23 E.,
Sec. 1, all;
Secs. 3 to 15 inclusive;
Sec. 17, N $\frac{1}{2}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 18, all;
Sec. 19, Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 20, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 21, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 22, NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 23 to 26 inclusive;
Sec. 27 E $\frac{1}{2}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 29, W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 30, all;
Sec. 31, all;
Sec. 34, NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, E $\frac{1}{2}$, NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Containing 16,053.05 acres
T. 13 S., R. 23 E.,
Sec. 1, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.
Containing 647.12 acres
T. 10 S., R. 24 E.,
Sec. 7, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, E $\frac{1}{2}$;
Sec. 12, all;
Sec. 13, all;
Sec. 14, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;

Sec. 15, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 17, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 18 to 24 inclusive;
 Sec. 25, W $\frac{1}{2}$ W $\frac{1}{2}$;
 Secs. 26 to 31 inclusive;
 Secs. 33 to 35 inclusive.

Containing 13,356.48 acres

T. 11 S., R. 24 E.,

Sec. 1, all;
 Sec. 3, all;
 Sec. 4, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 5, all;
 Sec. 6, lots 1 to 7 inclusive and lots 9 to 12 inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 7, lots 1 to 6 inclusive, and lots 8, 9, and 11, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 8, lots 1 to 10 inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 9, lots 1 to 5 inclusive, N $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 10 to 19 inclusive;
 Sec. 20, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 21, E $\frac{1}{2}$, W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, the following for mineral estate only: E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 23 to 25 inclusive;
 Sec. 26, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 27 to 29 inclusive;
 Sec. 30, lots 1 to 4 inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 31 to 35 inclusive.

Containing 19,147.71 acres

T. 12 S., R. 24 E.,

Sec. 1, all;
 Sec. 3, all;
 Sec. 4, lots 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Secs. 5 to 12 inclusive;
 Sec. 13, N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, the following for mineral estate only: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 14, all;
 Sec. 15, all;
 Secs. 17 to 31 inclusive;
 Sec. 33, all;
 Sec. 34, N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, the following for mineral estate only: NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 35, N $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, the following for mineral estate only: NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Containing 20,344.83 acres

T. 13 S., R. 24 E.,

Sec. 1, all;
 Sec. 3, lots 1 to 8 inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, the following for mineral estate only: N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Secs. 4 to 6 inclusive;
 Sec. 7, lots 1 to 4 inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 8, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 10, all;
 Sec. 11, N $\frac{1}{2}$, SW $\frac{1}{4}$;
 Sec. 12, N $\frac{1}{2}$;
 Sec. 15, N $\frac{1}{2}$;
 Sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Containing 5,969.40 acres

T. 9 S., R. 25 E.,

Sec. 24, lot 6;
 Sec. 25, lots 1 to 4 inclusive, W $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 33, lots 6 to 9, inclusive;
 Sec. 35, S $\frac{1}{2}$.

Containing 631.72 acres

T. 10 S., R. 25 E.,

Sec. 1, all;
 Sec. 4, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
 Sec. 5, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 8, NE $\frac{1}{4}$;

Sec. 9, W $\frac{1}{2}$;

Sec. 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;

Secs. 11 to 15 inclusive;

Sec. 18, all;

Sec. 19, all;

Sec. 20, S $\frac{1}{2}$;

Sec. 21, S $\frac{1}{2}$;

Secs. 22 to 31 inclusive;

Secs. 33 to 35 inclusive.

Containing 13,736.93 acres

T. 11 S., R. 25 E.,

Sec. 1, all;
 Sec. 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 6, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
 Sec. 12, all;
 Sec. 13, all;
 Sec. 19, W $\frac{1}{2}$;
 Sec. 23, E $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Secs. 24 to 26 inclusive;
 Sec. 27, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 28, SE $\frac{1}{4}$;
 Sec. 30, lots 1, 2, E $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 31, Frac NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$;
 Secs. 33 to 35, all.

Containing 8,879.30 acres

T. 12 S., R. 25 E.,

Sec. 1, all;
 Sec. 3, all;
 Secs. 4 to 10 inclusive;
 Sec. 11, lot 1, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 12, lots 1 to 10 inclusive, lot 13, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 13, lot 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 14, lots 1, 2, 3, 6, 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 15, all;
 Sec. 17, all;
 Sec. 18, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$, the following for mineral estate only: SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
 Sec. 19, E $\frac{1}{2}$, SW $\frac{1}{4}$, the following for mineral estate only: NW $\frac{1}{4}$;
 Secs. 20 to 22 inclusive;
 Sec. 23, W $\frac{1}{2}$;
 Sec. 25, lots 1, 2, 5, 6, 7, and 12;
 Secs. 26 to 31 inclusive;
 Secs. 33 to 35 inclusive.

Containing 18,439.32 acres

T. 13 S., R. 25 E.,

Secs. 4 to 7 inclusive;
 Sec. 8, N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 9, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 17, all.

Containing 4,505.15 acres

Total acreage 156,626.60

The purpose of this notice is to allow all persons claiming the land adversely to file in this office their objections to issuance of a clearlist to the State. Any objections must be filed with evidence that a copy thereof has been served on the Director, Division of State Lands, 105 State Capitol, Salt Lake City, Utah 84114, on or before November 15, 1976.

Dated: October 7, 1976.

WILLIAM G. LEAVELL,
 Associate State Director.

[FR Doc.76-30208 Filed 10-14-76;8:45 am]

OUTER CONTINENTAL SHELF OFF LOUISIANA AND TEXAS

Oil and Gas Lease Sale No. 44

NOVEMBER 16, 1976.

1. *Authority.* This notice is published pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331-1343) and the

regulations issued thereunder (43 CFR Part 3300).

2. *Filing of Bids.* Sealed bids will be received by the Manager, New Orleans Outer Continental Shelf Office, Bureau of Land Management, Hale Boggs Federal Building, 500 Camp Street, Suite 841, New Orleans, Louisiana 70130. Bids may be delivered, either by mail or in person, to the above address until 4:30 p.m., c.s.t., November 15, 1976; or by personal delivery to the Presidential Salon, Braniff Place, 1500 Canal Street, New Orleans, Louisiana 70140, between the hours of 8:30 a.m., c.s.t., and 9:30 a.m., c.s.t., November 16, 1976. Bids received by the Manager later than the times and date specified above will be returned unopened to the bidders. Bids may not be modified or withdrawn unless written modification or withdrawal is received by the Manager prior to 9:30 a.m., c.s.t., November 16, 1976. All bids must be submitted and will be considered in accordance with applicable regulations, including 43 CFR Part 3300. The list of restricted joint bidders which applies to this sale was published in 41 FR 43747, October 4, 1976.

3. *Rent, Royalty and Bonus.* Bids submitted on all tracts to be offered at this sale must be on a cash bonus bid basis. The royalty for all tracts is fixed at 16 $\frac{1}{2}$ percent. Leases which may be issued will provide for a yearly rental or minimum royalty of \$3.00 per acre or fraction thereof.

4. *Method of Bidding.* A separate bid in a sealed envelope, labeled "Sealed Bid for Oil and Gas Lease (insert number of tract), not to be opened until 10:00 a.m., c.s.t., November 16, 1976," must be submitted for each tract. A suggested bid format appears in paragraph 16. Bidders are advised that tract numbers are assigned solely for administrative purposes and are not the same as block numbers found on official protraction diagrams. All bids received shall be deemed submitted for a numbered tract. Bidders must submit with each bid one-fifth of the cash bonus in cash, or by cashier's check, bank draft, certified check or money order, payable to the order of the Bureau of Land Management. No bid for less than a full tract as described in paragraph 12 will be considered. Bidders submitting joint bids must state on the bid form the proportionate interest of each participating bidder, in percent to a maximum of five decimal places, as well as submit a sworn statement that the bidder is qualified under 43 CFR 3302. The form for this statement to be used in joint bids appears in paragraph 16. Other documents may be required of bidders under 43 CFR 3302.4. Bidders are warned against violation of 18 U.S.C. 1860, prohibiting unlawful combination or intimidation of bidders.

5. *Equal Opportunity.* Each bidder must have submitted by 9:30 a.m. c.s.t., November 16, 1976, the certification required by 41 CFR 60-1.7(b) and Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, on the Compliance Report Certification Form, Form 1140-8 (November 1973), and the Affirm-

ative Action Representation Form, Form 1140-7 (December 1971).

6. *Bid Opening.* Bids will be opened on November 16, 1976, beginning at 10:00 a.m., c.s.t., in the Presidential Salon at the address stated in paragraph 2. The opening of the bids is for the sole purpose of publicly announcing and recording bids received and no bids will be accepted or rejected at that time. If the Department is prohibited for any reason from opening any bid before midnight, November 16, 1976, that bid will be returned unopened to the bidder, as soon thereafter as possible.

7. *Deposit of Payments.* Any cash, checks, drafts, or money orders submitted with a bid may be deposited in a suspense account in the Treasury during the period the bids are being considered. Such a deposit does not constitute and shall not be construed as acceptance of any bid on behalf of the United States.

8. *Withdrawal of Tracts.* The United States reserves the right to withdraw any tract from this sale prior to issuance of a written acceptance of a bid for that tract.

9. *Acceptance or Rejection of Bids.* The United States reserves the right to reject any and all bids for any tract. In any case, no bid for any tract will be accepted and no lease for any tract will be awarded to any bidder unless:

(a) The bidder has complied with all requirements of this notice and applicable regulations;

(b) His bid is the highest valid cash bonus bid; and

(c) The amount of the bid has been determined to be adequate by the United States.

No bid will be considered for acceptance unless it offers a cash bonus in the amount of \$25.00 or more per acre or fraction thereof.

10. *Successful Bidders.* Each person who has submitted a bid accepted by the United States will be required to execute copies of the lease specified below, pay the balance of the cash bonus bid together with the first year's annual rental and satisfy the bonding requirements of 43 CFR 3304.1 within the time provided in 43 CFR 3302.5.

11. *Leasing Maps.* Tracts offered for lease may be located on the following official leasing maps which are available from the Manager, New Orleans Outer Continental Shelf Office at the address stated in paragraph 2.

(a) Outer Continental Shelf, Louisiana Leasing Maps—Set of 26. These maps may be purchased for \$15 per set.

(b) Outer Continental Shelf, East Texas Leasing Maps—Set of 8. These maps may be purchased for \$5 per set.

(c) Official Leasing Map, Mobil South No. 2 NH 16-10. This may be purchased for \$2.

12. Tract Descriptions:

OCS official leasing maps

Tract No.	Block	Description	Acreage
Brazos Area, South Addition, Texas Map No. 5B ¹			
44-1.....	A-104	A11	5,760
Galveston Area, Texas Map No. 6 ¹			
44-2.....	144	A11	5,760
High Island Area, Texas Map No. 7 ¹			
44-3.....	100	A11	5,760
44-4.....	141	E1/2	2,880
High Island Area, East Addition, Texas Map No. 7A ¹			
44-5.....	A-225	A11	5,760
High Island Area, East Addition, South Extension, Texas Map No. 7C ¹			
44-6.....	A-331	A11	5,760
44-7.....	A-310	A11	2,880
West Cameron Area, Louisiana Map No. 1 ¹			
44-8.....	63	S1/2	2,880
44-9.....	103	A11	5,000
44-10.....	134	E1/2	2,500
44-11.....	170	E1/2	2,500
44-12.....	264	A11	5,000
44-13.....	279	A11	5,000
West Cameron Area, South Addition, Louisiana Map No. 1B ¹			
44-14.....	453	A11	5,000
44-15.....	429	A11	5,000
44-16.....	460	A11	5,000
44-17.....	593	A11	5,000
44-18.....	507	S1/2	2,500
44-19.....	623	A11	5,000
44-20.....	653	A11	5,000
44-21.....	601	A11	5,000
East Cameron Area, South Addition, Louisiana Map No. 2A ¹			
44-22.....	333	A11	5,000
44-23.....	359	A11	5,000
44-24.....	340	A11	5,000
Vermilion Area, Louisiana Map No. 3 ¹			
44-25.....	53	A11	5,000
44-26.....	57	A11	5,000
44-27.....	60	A11	4,000.00
44-28.....	102	A11	4,000.00
44-29.....	140	A11	5,000
44-30.....	159	A11	5,000
44-31.....	169	SW1/4	1,250
44-32.....	163	NW1/4	1,250
Vermilion Area, South Addition, Louisiana Map No. 3B ¹			
44-33.....	277	A11	5,000
44-34.....	259	A11	5,000
44-35.....	310	A11	5,000
South Marsh Island Area, Louisiana Map No. 3A ¹			
44-36.....	8	A11	3,145.45
South Marsh Island Area, South Addition, Louisiana Map No. 3C ¹			
44-37.....	183	A11	3,000.00
See footnotes at end of document.			

South Marsh Island Area, North Addition, Louisiana Map No. 3D¹

Tract No.	Block	Description	Acreage
44-38.....	273	A11	5,000
44-39.....	276	A11	5,000

Eugene Island Area, Louisiana Map No. 4¹

44-40.....	37	(N)	412.13
44-41.....	229	A11	5,000

Eugene Island Area, South Addition, Louisiana Map No. 4A¹

44-42.....	391	N1/2	2,500
44-43.....	393	A11	5,000
44-44.....	319	A11	5,000
44-45.....	311	A11	5,000
44-46.....	351	A11	5,000
44-47.....	352	A11	5,000

Ship Shoal Area, Louisiana Map No. 5¹

44-48.....	17	(N)	1,311.12
44-49.....	39	NW1/4	1,250
44-50.....	111	A11	5,000
44-51.....	215	A11	5,000
44-52.....	232	A11	5,000

South Timber Lake Area, Louisiana Map No. 6¹

44-53.....	182	A11	2,142.45
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West Delta Area, Louisiana Map No. 8¹

44-54.....	31	N1/2	2,500
44-55.....	47	A11	5,000

South Pass Area, Louisiana Map No. 9¹

44-56.....	57	(N)	477.84
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Main Pass Area, Louisiana Map No. 10¹

44-57.....	172	(N)	3,332.43
44-58.....	174	A11	4,094.55
44-59.....	116	A11	4,094.55

Main Pass Area, South and East Addition, Louisiana Map No. 10A¹

44-60.....	100	A11	4,094.55
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Mobil South No. 2, NH 16-10¹

44-61.....	NW1/4 E1/2	A11	2,173.09
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¹ Approved Sept. 24, 1959.
² Approved July 16, 1961.
³ Approved July 16, 1961; revised Aug. 1963.
⁴ Approved Jan. 23, 1967.
⁵ Approved Sept. 24, 1959.
⁶ Approved June 8, 1954; revised July 22, 1954.
⁷ Approved Sept. 8, 1972.
⁸ Approved June 8, 1954; revised June 23, 1954; July 22, 1954.
⁹ Approved Aug. 7, 1959.
¹⁰ Approved Apr. 10, 1971; revised Jan. 13, 1972.
¹¹ That portion of the large block which is more than 3 geographical miles seaward from the line described in the supplemental decree of the U.S. Supreme Court, June 16, 1975, (*United States v. Louisiana*, 422 U.S. 13).
¹² Approved June 8, 1954.
¹³ Approved June 8, 1954; revised July 22, 1954; Dec. 9, 1954.
¹⁴ Approved June 8, 1954; revised July 22, 1954; May 11, 1972.
¹⁵ That portion of South Pass Block 57 and Main Pass Blocks 72 and 74 located more than 3 geographical miles seaward from the line described in the supplemental decree of the U.S. Supreme Court, June 16, 1975, (*United States v. Louisiana*, 422 U.S. 13) to 1 ft seaward of the 3d supplemental decree line (494 U.S. 333, Dec. 29, 1979).
¹⁶ Approved Feb. 15, 1973.

13. Lease Terms and Stipulations. Leases issued as a result of this sale will be on Form 3300-1 (May 1976), available from the Manager, New Orleans Outer Continental Shelf Office, at the address stated in paragraph 2. Except as otherwise noted, the following stipulations will be included in each lease resulting from this sale.

Stipulation No. 1. (To apply to all leases resulting from this sale.)

If the Supervisor, having reason to believe that a site, structure, or object of historical or archaeological significance, hereinafter referred to as "cultural resource," may exist in the lease area, gives the lessee written notice that the lessor is invoking the provisions of this stipulation, the lessee shall upon receipt of such notice comply with the following requirements:

Prior to any drilling activity or the construction or placement of any structure for exploration or development on the lease, including but not limited to, well drilling and pipeline and platform placement, hereinafter in this stipulation referred to as "operation," the lessee shall conduct geophysical surveys to determine the potential existence of any cultural resource that may be affected by such operations. All data produced by such geophysical surveys shall be examined by the Supervisor to determine if anomalies are present which suggest the existence of a cultural resource that may be adversely affected by any lease operation.

If such anomalies exist the lessee shall: (1) locate the site of such operation so as not to adversely affect the anomaly identified; or (2) establish, to the satisfaction of the Supervisor, on the basis of further archaeological investigation conducted by a qualified marine archaeological surveyor using such survey equipment and techniques as deemed necessary by the Supervisor, either that such operation will not adversely affect the anomaly identified or that the potential cultural resource suggested by the occurrence of the anomaly does not exist.

A report of this investigation prepared by the marine archaeological surveyor shall be submitted to the Supervisor for review. Should the Supervisor determine that the existence of a cultural resource which may be adversely affected by such operation is sufficiently established to warrant protection, the lessee shall take no action that may result in an adverse effect on such cultural resource until the Supervisor has given directions as to its disposition.

The lessee agrees that if any site, structure, or object of historical or archaeological significance shall be discovered during the conduct of any operations on the leased area, he shall report immediately such findings to the Supervisor, and make every reasonable effort to preserve and protect the cultural resource from damage until the Supervisor has given directions as to its disposition.

Stipulation No. 2. (This stipulation will be applied to any leases for tracts 44-10, 44-11, and 44-61 resulting from this sale.)

The lessee agrees that, prior to any drilling activity or placement of any permanent production platform or pipeline, he will submit as part of his exploration and/or development plan, a bathymetry map sufficiently detailed to indicate the presence and location (or absence) of hard bank biological communities.

Stipulation No. 3. (To apply to all leases resulting from this lease sale.)

Structures for drilling or production, including pipelines and subsea systems, shall be kept to the minimum necessary for proper exploration, development, and production and, to the greatest extent consistent therewith, shall be placed so as not to interfere unnecessarily with other significant uses of the Outer Continental Shelf.

14. Restriction on Leases. Some of the tracts offered for lease may fall in areas which may be included in fairways, precautionary zones, or traffic separation schemes. Department of the Army permits are required for construction of any structures in or over any navigable waters of the United States pursuant to Section 10 of the River and Harbor Act of 1899 (30 Stat. 1151; 33 U.S.C. 403) and for artificial islands and fixed structures located on the Outer Continental Shelf in accordance with section 4(f) of the Outer Continental Shelf Lands Act of 1953 (67 Stat. 463; 43 U.S.C. 1333 (f)).

Permit applications and inquiries should be directed to the appropriate District Engineer, New Orleans District or Galveston District, U.S. Army Corps of Engineers.

15. OCS Orders. Operations on all leases resulting from this sale will be

conducted in accordance with the provisions of all Gulf of Mexico Area OCS Orders, issued effective February 1976 and any other applicable OCS Order, as it becomes effective. Bidders are advised that the Departments of the Interior and Transportation have entered into a Memorandum of Understanding dated May 6, 1976, concerning the design, installation, operation and maintenance of offshore pipelines. Bidders should consult the Department of Transportation for regulations applicable to offshore pipelines under its jurisdiction.

16. Suggested Bid Form. It is suggested that bidders submit their bids to the Manager, New Orleans Outer Continental Shelf Office, in the following form:

OIL AND GAS BID

The following bid is submitted for an oil and gas lease on the tract of the Outer Continental Shelf specified below:

Tract No.	Total amount bid	Amount Per acre	Amount of cash bonus submitted with bid

PROPORTIONATE INTEREST OF COMPANY(S) SUBMITTING BID

N.O. Misc. No. ----- %

Company

Address

Signature

(Please type signers name under signature)

JOINT BIDDER'S STATEMENT

I hereby certify that ----- (entity submitting bid) is eligible under 43 CFR 3302 to bid jointly with the other parties submitting this bid.

Signature

Sworn to and subscribed before me
this ---- day of ----- 19 ----

Notary Public

State of -----
(County) of -----

Approved: October 12, 1976.

H. GREGORY AUSTIN,
Acting Secretary of the Interior.

[FR Doc.76-30175 Filed 10-14-76; 8:45 am]

[NM 28940]

NEW MEXICO

Notice of Application

OCTOBER 4, 1976.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Cities Service Oil Company has applied for one 4-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN
NEW MEXICO

T. 8 S., R. 30 E.,
Sec. 32, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 9 S., R. 30 E.,
Sec. 6, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

This pipeline will convey natural gas across .547 of a mile of national resource lands in Chaves County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, New Mexico 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.76-30259 Filed 10-14-76;8:45 am]

[NM 28957 and 28958]

NEW MEXICO

Notice of Applications

OCTOBER 6, 1976.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for two cathodic protection station site rights-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN
NEW MEXICO

T. 30 N., R. 8 W.,
Sec. 4, lots 3, 4 and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 5, lot 3.

The cathodic protection stations will be used in connection with natural gas operations and will cross .494 of a mile of national resource land in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 6770, Albuquerque, New Mexico 87107.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.76-30258 Filed 10-14-76;8:45 am]

MONTROSE DISTRICT MULTIPLE USE ADVISORY BOARD

Meeting

OCTOBER 8, 1976.

Notice is hereby given that the Montrose District, Bureau of Land Management Multiple Use Advisory Board originally scheduled for September 28 and 29, 1976, will now meet on November 12, 1976.

The meeting will begin at 8:00 a.m., November 12, 1976, in the Montrose District Office, Highway 550 South, Montrose, Colorado.

The agenda for the meeting will include discussions on new legislation and proposed regulations affecting the Bureau of Land Management. A status report on the Uncompahgre Livestock Grazing Environmental Statement will be presented.

The meeting is open to the public. Interested persons may make brief oral presentations to the Board on November 12, 1976, at the Montrose District Office, or present written statements. Persons who wish to make oral statements should notify the Montrose District Manager, P.O. Box 1269, Montrose, Colorado 81401 (Phone No. (303) 249-7791) prior to the meeting.

MARLYN V. JONES,
District Manager.

[FR Doc.76-30261 Filed 10-14-76;8:45 am]

ROSWELL DISTRICT MULTIPLE USE ADVISORY BOARD

Meeting

Notice is hereby given that the Bureau of Land Management, Roswell District Multiple Use Advisory Board, will meet from 9:00 a.m. to 4:30 p.m., November 15, 1976, at the Roswell Inn, 1815 North Main, Roswell, New Mexico.

This meeting is for further discussion, review and possible recommendations by the Board regarding antelope fencing and fence modifications.

The meeting will be open to the public. Written communications or telephone requests for information on the meeting should be directed to James H. O'Connor, District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201—Telephone No. (505) 622-7670.

JAMES H. O'CONNOR,
District Manager.

OCTOBER 7, 1976.

[FR Doc.76-30262 Filed 10-14-76;8:45 am]

[ES15832; Survey Group 98]

WISCONSIN

Filing of Plats of Survey

OCTOBER 6, 1976.

The plats of survey for the following described lands will be officially filed in the Eastern States Office, Silver Spring, Maryland as of 10:00 a.m. on November 17, 1976. The plat for the island in Crawling Stone Lake in T. 40 N., R. 5 E. was accepted on November 10, 1975, and the plat of islands in Statenaker and Toulash Lakes was accepted on May 11, 1976. The remaining plats were accepted on March 31, 1976. All the islands are: similar in all respects to the adjacent surveyed mainland; well over 50% upland in character within the meaning of the Swamp Land Act of September 28, 1850; and located in the Fourth Principal Meridian, Wisconsin. The surveys were executed at the request of the Bureau of Indian Affairs since the lands are located within the Lac du Flambeau Reservation.

The plat of survey of an island in Crawling Stone Lake represents the survey of an island not previously surveyed or included within the areas as shown on the original survey plat. This island is described as:

T. 40 N., R. 5 E.

Tract 37

Containing 3.54 acres.

The soil is typically glacial till and sand, mixed with small amounts of clay, gravel and larger rocks and topped with a thin layer of organic matter. Timber consists of oak, Norway pine and white pine, and the elevations of the island range up to approximately 25 feet above the ordinary high-water mark.

The plat of survey of an island in Toulash Lake, now described as Tract 37, containing 1.40 acres, and another in Statenaker Lake, now described as Tract 33, containing 1.75 acres, represents the survey of previously unsurveyed lands in T. 40 N., R. 6 E. The soil of both tracts is sandy and gravelly loam, and the vegetation consists of pine, birch, poplar, maple and native grasses. Tract 38 is about 25 feet above the original high-water mark of Statenaker Lake.

The plat of survey of ten islands in Pokegama Lake represents the survey of lands omitted from the previous survey of T. 41 N., R. 5 E., as well as a dependent resurvey of a portion of the east and south boundaries and a portion of the subdivisional lines and the survey of the subdivisions of Section 34. The previously omitted islands are now described as:

T. 41 N., R. 5 E.

Tract 37 (1.28 acres)
Tract 38 (0.85 of an acre)
Tract 39 (1.15 acres)
Tract 40 (4.53 acres)
Tract 41 (0.40 of an acre)
Tract 42 (0.26 of an acre)
Tract 43 (0.20 of an acre)
Tract 44 (0.31 of an acre)
Tract 45 (0.42 of an acre)
Tract 46 (0.37 of an acre)
The area aggregates 9.82 acres.

Tract 37 rises abruptly from the water line to an elevation of approximately 14 feet with soil composed of a thin layer of duff on a base of glacial till and some organic matter near the surface. Vegetation consists of red and white pine, aspen, white birch, grasses and alder.

Tract 38 rises abruptly from the ordinary high-water mark and levels off to a plateau with an elevation of 10 to 12 feet. On the east side of the island, a low, narrow strip of boggy land supports a stand of alder. Having a soil of glacial till with a moderate amount of organic matter in the top layer, this island maintains vegetation consisting of white and red pine, white birch, grasses, northern white cedar, balsam fir, and alder.

Tract 39 rises sharply 7 to 8 feet to a plateau and has typical glacial till soil. Timber is limited to aspen, white birch and white pine, while the undergrowth is comprised of northern white cedar and grasses.

Tract 40, having a soil of glacial till covered with layer of duff, rises from the shoreline to a high point of approximately 40 feet on the south end. Aspen, oak, white birch and red and white pine comprise the forest; the undergrowth consists of young timber, hazel and grasses.

Tract 41 rises to about 5 feet above the ordinary high-water mark and has a soil composed of organic matter on glacial till. Vegetation consists of white and red pine, white birch, aspen, balsam fir, northern white cedar and alder.

Tract 42, with a soil of glacial till, supports growth of white birch, northern white cedar, balsam fir, grass and alder. The highest point on the island is approximately 7 feet above the ordinary high-water mark.

Tract 43, having a high point approximately 4 feet above the ordinary high-water mark, has a typically glacial till soil with an accumulation of organic matter on top. Timber consists of white and red pine and white birch, with an almost complete ground cover of moss. Alder and some grass are also found.

Tract 44 rises approximately 10 feet above ordinary high water. The glacial till soil sustains red and white pine, aspen, northern white cedar, balsam fir, yellow birch, grasses and alder.

Tract 45, with vegetation consisting of red pine, white birch and alder, has glacial till soil topped by a layer of organic material. Elevations on this island range up to 15 feet above the ordinary high-water mark.

Tract 46, with rises sharply to 30 feet above the ordinary high-water mark, has soil consisting of glacial till with a covering of duff. Red pine, white birch, aspen, northern white cedar and alder comprise the vegetation.

The plat designating Tracts 37 through 40, T. 41 N., R. 6 E. represents a survey of portions of two islands and two complete islands in Ike Walton Lake not previously surveyed. Tract 40, containing 0.99 of an acre, is a portion of an island with elevation ranging up to 10 feet above the ordinary high-water line. The glacial till soil has a thin topping or organic matter and vegetation consisting of birch, fir, maple, hemlock, hazelnut brush and alder. Tract 39, containing 15.08 acres, is a portion of an island having an elevation of 25 feet above the ordinary high-water line. In a low, swampy area in the northwest portion of this tract, the soil is mostly peat; elsewhere the soil is glacial till with a thin layer of humus. Again the vegetation consists of birch, fir, maple, pine, hemlock, hazelnut brush and alder. Tract 38 is an island with an elevation of approximately 5 feet above the ordinary high-water line which covers 0.06 of an acre. Having a glacial till soil, it sustains growths of birch, fir, maple, pine, hemlock and alder. Tract 37, containing 15.60 acres, is an island with elevation ranging up to approximately 20 feet above the ordinary high-water line. Vegetation growing in the soil of glacial till topped with a thin layer of organic matter consists of birch, fir, maple, pine, hemlock, hazelnut brush and alder. The total area surveyed in T. 40 N., R. 6 E. aggregates 31.73 acres.

A plat in two sheets represents: the dependent resurvey of a portion of the east boundary of T. 41 N., R. 5 E.; a portion of the subdivisional lines and the reestablishment of the west record meander line of Big Crooked Lake within Section 15, T. 41 N., R. 5 E.; a survey of two islands in Ike Walton Lake; and the survey of 4 islands in Big Crooked Lake and 1 island in Muskegin Lake which were omitted from the original township survey. The islands are described as:

T. 41 N., R. 5 E.

Tract 47 (0.56 of an acre)
Tract 49 (0.33 of an acre)
Tract 50 (1.61 acres)
Tract 51 (0.05 of an acre)
Tract 52 (0.60 of an acre)
Tract 53 (2.37 acres)
Tract 54 (0.99 of an acre).

The area aggregates 6.51 acres.

Elevations of the areas described as Tracts 52 and 54, which are located in Ike Walton Lake, range up to approximately 10 feet above the ordinary high-water mark. The typically glacial till soil is topped with a thin layer of organic matter, and vegetation is comprised of birch, fir, maple, pine, hemlock, hazelnut brush and alder.

Tracts 47, 49, 50 and 51 are islands located in Big Crooked Lake. Tract 47 has an elevation ranging up to 15 feet above the ordinary high-water mark, typically glacial till soil with a thin covering of organic matter, and vegetation consisting of Norway and white pine, birch, aspen, grasses and alder. Tract 49 rises to about 6 feet, has typically glacial till soil covered with a layer of duff, timber comprised of Norway and white pine and birch, and an understory of hazelnut brush and alder. The elevation of Tract 50 ranges up to approximately 25 feet above the ordinary high-water mark, and the soil is typically glacial till covered with a layer of organic matter. Its vegetation consists of Norway and white pine, red and white oak, birch, aspen, grasses, hazelnut brush and alder. Tract 51 rises to about 3 feet, has glacial till soil covered with a layer of duff, and the only vegetation consists of white pine and alders.

Located in Muskegin Lake, Tract 53 has an elevation ranging up to 15 feet and typical glacial till soil with a thin topping of organic matter. A small portion of the island has swamp characteristics with more organic matter in the soil. Timber on this island is comprised of birch, fir, maple and pine, with an undergrowth of hazelnut brush and alder.

All the lands described above, being located within the boundaries of the Lac du Flambeau Indian Reservation, are hereby added to and made a part of this reservation and hereafter shall be subject to all laws and regulations applicable thereto.

All inquiries relating to these islands should be sent to Director, Eastern States, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Maryland 20910.

CLAUDE A. MARTIN,
Acting Director, Eastern States.

[FR Doc.76-30260 Filed 10-14-76; 8:45 am]

[Colorado 22843]

COLORADO

Proposed Withdrawal and Reservation of Lands

OCTOBER 7, 1976.

The Bureau of Land Management, Department of the Interior, has filed an application, Serial Number, Colorado 22843, for the withdrawal of lands described below from all forms of appro-

priation under the public land laws, including location and entry under the general mining laws, but not the mineral leasing laws, subject to valid existing rights. The withdrawal would prohibit construction of roads under Revised Statutes 2477 and other authorities, except under authorization of Special Land Use Permits (43 U.S.C. 315g).

The applicant wishes to secure Tenure of the described lands for the protection of BLM constructed campground facilities and to preserve public recreation, scenic, and other values near DeWesse Reservoir.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections, in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202 (CO-943).

The Department's regulations, 43 CFR 2351.4(c), provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

6TH PRINCIPAL MERIDIAN
COLORADO

T. 21 S., R. 72 W.,
Sec. 19, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 28., NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 29, Lots 1 and 2.

The area described aggregates 281.44 acres in Custer County.

JAMES S. LAVENDER,
Acting State Director.

[FR Doc.76-30206 Filed 10-14-76; 8:45 am]

National Park Service NAVAJO NATIONAL MONUMENT Public Use Restrictions

By proclamation No. 1186 dated March 14, 1912 (37 Stat. 1733) and an Act for the Preservation of American Antiquities of June 8, 1906 (34 Stat. 225, 16 U.S.C. 433) warning is expressly given to all unauthorized persons not to appropriate, excavate, injure or destroy any of the relics declared to be a National Monument.

In the administration of Navajo National Monument, the Secretary of the Interior is authorized to utilize statu-

tory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural and historic resources as he deems appropriate to carry out the purpose of the Act of August 25, 1916 (39 Stat. 535 as amended, 16 U.S.C. 1 et seq.), the National Environmental Policy Act of 1969 (83 Stat. 852, 42 U.S.C. 4321, 4332 and 4335 et seq.), the National Historic Preservation Act of 1966 (80 Stat. 915), Executive Order 11593 dated May 13, 1971 (36 FR 8921) and subsections 3(a) (1), 4(a) (2) and 245 DM-1 (34 FR 13879) as amended, notice is given to all persons planning to visit the monument that local restrictions have been established to control use and safeguard the prehistoric ruins. A written permit or a guide must be obtained through the Superintendent's office prior to any visit to Betatakin, Keet Seel, and Inscription House ruins.

Persons who are planning to visit the monument are urged to request copies of free informational material which describe the monument, authorized activities and public use restrictions and limits by writing to the Superintendent, Navajo National Monument, Tonalea, Arizona 86044.

FRANK E. HASTINGS,
Superintendent.

[FR Doc.76-30283 Filed 10-14-76; 8:45 am]

Office of Hearings and Appeals

[Docket No. M 76-443]

CHEROKEE COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861 (c) (1970), Cherokee Coal Company has filed a petition to modify the application of 30 CFR 75.1710 to its Nos. 1 and 2 Mines, both located in Tazewell County, Virginia.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with § 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

* * * Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he

shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

- (1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;
- (2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;
- (3) On and after January 1, 1975, and in coal mines having mining heights of 48 inches or more, but less than 60 inches;
- (4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;
- (5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and
- (6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. . . .

The substance of Petitioner's statement is as follows:

1. Petitioner's Nos. 1 and 2 Mines have sections in which coalbed height is 36 inches or less.

2. The design characteristics of the electrical face equipment presently in use at the subject mines will not permit the installation of cabs or canopies which will allow the operator proper vision for safe operation of the equipment while remaining under the cab or canopy, which will clear the top in areas where the equipment must operate in these mines, or which will allow the operator to rapidly escape the confines of such cabs or canopies in the event of an emergency.

3. Petitioner contends that application of 30 CFR 75.1710 and 75.1710-1(a) (5) to its present electrical face equipment in the coalbed height shown in paragraph 1 of its Nos. 1 and 2 Mines will result in a diminution of safety in the operation of said equipment.

4. Petitioner proposes the following alternative method for maintenance of safe roof and rib conditions in connection with operation of its presently used electric face equipment at the subject mines:

a. Petitioner will replace its present electrical face equipment as that equipment wears out with new redesigned smaller equipment with cabs or canopies installed to the extent that the cabs or canopies on such new equipment may be developed to satisfy the human and physical engineering problems identified in paragraph 2 above.

b. In addition to complying with the roof control plan in effect at each of the subject mines, Petitioner will reinstruct all face workers and section supervisory and inspection personnel in roof and rib falls recognition and prevention techniques as well as safe equipment operation.

5. Wherefore, Petitioner Cherokee Coal Company, respectfully requests that its Petition for Modification of the application of 30 CFR 75.1710 and 75.1710-1(a) (5) be granted until such time as it is able to acquire or construct cabs or canopies configured for safe operation in the coalbed heights at these mines for which this Petition is filed.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before November 15, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: October 5, 1976.

JAMES R. RICHARDS,
Director, Office of
Hearings and Appeals.

[FR Doc.76-30211 Filed 10-14-76; 8:45 am]

[Docket No. M 76-475]

PATHFORK HARLAN COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Pathfork Harlan Coal Company has filed a petition to modify the application of 30 CFR 75.800 to its Lucky Star Mine, Karen Mine, and Rice Harlan Mine, all located in Harlan County, Kentucky.

30 CFR 75.800 provides:

High-voltage circuits entering the underground area of any coal mine shall be protected by suitable circuit breakers of adequate interrupting capacity which are properly tested and maintained as prescribed by the Secretary. Such breakers shall be equipped with devices to provide protection against under-voltage, grounded phase, short circuit, and over-current.

The substance of Petitioner's statement is as follows:

1. The present ground fault system gives no less protection to the personnel at the mine than would a system in compliance with § 75.800.

2. The electrical system that is used at these mines consists of a Wye-connected secondary which is resistance grounded. This transformer then feeds a bank of fan transformers prior to entering the underground portion of the mine. The frames of all transformers (except the fan transformers) and hardware in the electrical enclosure are grounded to the power company's ground. The resistance ground is insulated and removed by a minimum of 50 feet. The bank of transformers which feed the fan are fused on the primary side in accordance with the National Electrical Code of 1975.

3. The fan transformers are insulated from all paths to ground except for two solid connected wires from the frames of the fan transformers back to the grounded side of the grounding resistor. These two ground wires are insulated from any other ground.¹ The fan trans-

¹A diagram enclosed with the petition for modification is available for inspection at the address shown in the last paragraph.

formers are mounted 15 feet above ground. In case the fan transformer had a phase to frame short, no hazard would exist. The two separate frame conductors would conduct fault current to the 160-ohm current limiting resistor and would limit the fault current to 15 amps and the fault voltage to a safe standpoint. If the ground wire were to become open, which is unlikely since there are two separate wires, no safety hazard would exist. Since the transformers are insulated from all grounds no current would flow, therefore, it poses no hazard to the underground system of the mine.

4. Petitioner feels that the ground fault protection provided at these mines is in compliance with the Federal Mine Safety law and offers no less protection for the men as any method proposed by MESA.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before November 15, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: October 5, 1976.

JAMES R. RICHARDS,
*Director, Office of
Hearings and Appeals.*

[FR Doc.76-30212 Filed 10-14-76;8:45 am]

[Docket No. M 76-408]

SLATER MINING CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861 (c) (1970), Slater Mining Corp., has filed a petition to modify the application of 30 CFR 75.1710 to its Apple Mine, located in Pike County, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with § 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

*** Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6), of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and

installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

- (1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;
- (2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;
- (3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;
- (4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;
- (5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and
- (6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

1. Petitioner feels that installing canopies on the haulage equipment in this mine would create a hazard to the equipment operators.

2. Petitioner's haulage equipment consists of two S & S 86 UNA TRAC's. The other face equipment consists of an LRB 15A Long Airdox roof bolter, an 11 RU Joy cutting machine, and a Long Airdox mobile drill.

3. The Apple Mine is in the Thacker seam which ranges from 39 to 44 inches in height. Petitioner is constantly running into ascending and descending grades in this seam, resulting in dips in the coalbed. As a result of these dips, the canopies have to be installed in such a manner as to prevent the canopies from striking the roof and possibly destroying roof support, cables and ventilation curtains. Installation of canopies on the equipment allows only a 23-inch vertical operating compartment which limits the vision of the operators of the equipment, creating a hazard to them as well as to the other employees in the mine.

4. Petitioner feels that since the equipment operators' vision is limited and since their position in the decks is cramped with the canopies installed, that canopy installation could be a contributing factor in any accidents that may arise.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before November 15, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: October 5, 1976.

JAMES R. RICHARDS,
*Director, Office of
Hearings and Appeals.*

[FR Doc.76-30213 Filed 10-14-76;8:45 am]

[Docket No. M 76-388]

THACKER COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Thacker Coal Company has filed a petition to modify the application of 30 CFR 75.1710 to its Nos. 1 and 2 Mines, both located in Pike County, Kentucky. 30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with § 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

*** Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

- (1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;
- (2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;
- (3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;
- (4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;
- (5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches; and
- (6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. * * *

The substance of Petitioner's statement is as follows:

1. This petition is in reference to canopies on haulage equipment and face equipment.

2. Petitioner feels that the canopies that have been installed on the haulage and face equipment are creating a hazard to the operators and to the people working around the equipment.

3. The Thacker Coal Company Mines are located in the No. 2 Elkhorn seam. This seam ranges from 42 to 48 inches in height. This seam is always running into ascending and descending grades. This seam is also subject to rolls and sways in the roof rock. These conditions, plus the canopies, limit the equipment operators' vision from up to 50 or 75 percent, creating a hazard to them and anyone around them.

4. After having discussed this situation with the operators of this equipment, Petitioner feels that further use of these canopies can only result in more haulage and tramping accidents.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments on or before November 15, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: October 5, 1976.

JAMES R. RICHARDS,
*Director, Office of
Hearings and Appeals.*

[FR Doc.76-30214 Filed 10-14-76;8:45 am]

Office of the Secretary

OUTER CONTINENTAL SHELF ADVISORY BOARD—GULF OF MEXICO

Meeting

This notice is issued in accordance with the provisions of the Federal Advisory Committee Act, Pub. L. No. 93-643, 5 U.S.C. App. I and the Office of Management and Budget's Circular No. A-63, Revised.

The Gulf of Mexico Regional Board will meet during the period 10:00 a.m. to 2:00 p.m., October 29, at the U.S. 5th Circuit Court of Appeals, 600 Camp Street, Room 105, New Orleans, Louisiana.

The meeting will include a presentation by SUSIO concerning coastal problems, a briefing on the coastal energy impact fund and a review of the agenda for the national meeting.

This meeting is open to the public. Interested persons may make oral or written presentations to the committee. Such requests should be made by October 26 to the Gulf of Mexico Board Chairman:

Mike Hutsell, Energy Coordinator, Texas Office of State-Federal Relations, 1019 19th Street, N.W., Suite 830, Washington, D.C. 20036; 202/223-3265.

Minutes of the meeting will be available for public inspection and copying three weeks after the meeting at the Office of OCS Program Coordination, Room 4126, Department of the Interior, 18th and C Streets, N.W., Washington, D.C.

ALAN D. POWERS,
*Director, Office of
OCS Program Coordination.*

OCTOBER 8, 1976.

[FR Doc.76-30176 Filed 10-14-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[Notice of Designation Number A379]

UTAH

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in the following Utah Counties as a result of drought April 1, 1976 through August 19, 1976.

Beaver
Iron
Juab

Millard
San Pete
Sevier

Therefore, the Secretary has designated this area as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 94-68, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Calvin L. Rampton that such designation be made.

Applications for emergency loans must be received by this Department no later than November 18, 1976, for physical losses and June 17, 1977, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, DC, this 28th day of September 1976.

JOSEPH R. HANSON,
*Acting Administrator,
Farmers Home Administration.*

[FR Doc.76-30246 Filed 10-14-76;8:45 am]

Forest Service

CHEQUAMEGON NATIONAL FOREST TIMBER MANAGEMENT PLAN

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement on the Timber Management Plan for the Chequamegon National Forest, USDA-FS-R9-DES-(ADM)-77-01.

The environmental statement concerns a proposed plan for managing the timber resources on the Chequamegon National Forest for the period 10/1/76 through 9/30/86. The Chequamegon National Forest is located in parts of Ashland, Bayfield, Sawyer, Price, Taylor, and Vilas Counties, Wisconsin.

This draft environmental statement was transmitted to CEQ on October 8, 1976.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3231, 12th St. and Independence Ave., SW., Washington, D.C. 20250.

USDA, Forest Service, Eastern Region, 633 West Wisconsin Avenue, Milwaukee, Wisconsin 53203.

USDA, Forest Service, Chequamegon National Forest, Federal Building, Park Falls, Wisconsin 54552.

A limited number of single copies are available upon request to Forest Supervisor, Chequamegon National Forest, Federal Building, Park Falls, Wisconsin 54552.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Written comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Written comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor, Chequamegon National Forest, Federal Building, Park Falls, Wisconsin 54552. Written comments must be received by December 7, 1976, in order to be considered in the preparation of the final environmental statement.

W. D. WILLIAMS,
Acting Regional Forester.

OCTOBER 8, 1976.

[FR Doc.76-30252 Filed 10-14-76;8:45 am]

Office of the Secretary

MEAT IMPORT LIMITATIONS

Fourth Quarterly Estimates

Pub. L. 88-482, approved August 22, 1964 (hereinafter referred to as the Act), provides for limiting the quantity of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep, except lamb (TSUS 106.20), which may be imported into the United States in any calendar year. Such limitations are to be imposed when it is estimated by the Secretary of Agriculture that imports of such articles, in the absence of limitations during such calendar year, would equal or exceed 110 percent of the estimated quantity of such articles, prescribed by section 2(a) of the Act.

In accordance with the requirements of the Act, the following fourth quarterly estimates are published:

1. The estimated quantity of such articles prescribed by section 2(a) of the Act during the calendar year 1976 is 1,120.9 million pounds.

2. The estimated aggregate quantity of such articles which would, in the absence of limitations under the Act, be imported during calendar year 1976 is 1,250 million pounds.

Since the estimated quantity of imports exceeds 110 percent of the estimated quantity prescribed by section 2(a) of the Act, action is required to be taken under the Act with respect to the quantity of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep (TSUS 106.20), which may be entered during the calendar year 1976.

Done at Washington, D.C., this 8th day of October 1976.

JOHN A. KNEBEL,
Acting Secretary of Agriculture.

[FR Doc.76-30224 Filed 10-14-76;8:45 am]

Soil Conservation Service

UPPER NANTICOKE RIVER WATERSHED PROJECT, DELAWARE

Availability of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Upper Nanticoke River Watershed project, Kent and Sussex Counties, Delaware.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Otis D. Fincher, State Conservationist, Soil Conservation Service, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection, flood prevention, and drainage. The planned works of improvement remaining to be installed include conservation land treatment supplemented by about 38.3 miles of multiple-purpose channels.

The negative declaration is being filed with the Council on Environmental Quality and copies are being sent to various federal, state, and local agencies. The basic data developed during the environmental assessment is on file and may be reviewed by interested parties at the Soil Conservation Service, Treadway Towers, Suite 2-4, 9 East Lookerman Street, Dover, Delaware 19901. A limited number of copies of the negative declaration is available from the same address to fill single copy requests.

No administrative action on implementation on the proposal will be taken on or before November 1, 1976.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program, Public Law 83-566.)

Dated: October 6, 1976.

JOSEPH W. HAAS,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.76-30196 Filed 10-14-76;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

COMPUTER PERIPHERALS, COMPONENTS AND RELATED TEST EQUIPMENT TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

The meeting of the Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee scheduled for Tuesday, October 19, 1976, has been rescheduled for Tuesday, December 7, 1976, at 9:00 a.m., in Room 4833, Main Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. The agenda and other information relating to the Committee meeting, as published in the FEDERAL REGISTER, (41 FR 42689), on Tuesday, September 28, 1976, remain unchanged.

Date: October 12, 1976.

LAWRENCE J. BRADY,
Acting Director, Office of Export Administration, Bureau of East-West Trade.

[FR Doc.76-30517 Filed 10-14-76;9:36 am]

Office of the Secretary

[Department Organization Order 15-7]

OFFICE OF REGIONAL AFFAIRS

Delegation of Authority

DEPARTMENT ORGANIZATION ORDER SERIES

SEPTEMBER 23, 1976.

This order effective September 23, 1976 supersedes the material appearing at 41 FR 8520 of February 27, 1976.

Section 1. Purpose.

This order establishes, and prescribes the functions of, the Office of Regional Affairs.

Section 2. Establishment, reorganization and transfers.

.01 The Office of Regional Affairs is hereby established and the functions, personnel, funds, property and records of the Field Programs Staff are hereby transferred to it.

.02 In accord with the above, the Field Programs Staff is abolished.

.03 The position title of Deputy Under Secretary for Field Programs is changed to Deputy Under Secretary for Regional Affairs.

Section 3. Status and line of authority.

The Office of Regional Affairs, a Departmental Office, shall be headed by the

Deputy Under Secretary for Regional Affairs who shall coordinate the activities of the Secretarial Representatives, who shall be representatives of the Secretary to business, government, and other individuals and organizations in the Standard Federal Regions described in OMB Circular A-105. There shall be ten Secretarial Representatives, one stationed in each of the ten Standard Federal Regional cities. The Secretarial Representatives shall be responsible to the Secretary.

Section 4. Functions.

.01 The Deputy Under Secretary for Regional Affairs shall coordinate the activities of the Secretarial Representatives on behalf of the Secretary; he shall assist the Under Secretary in his function as a member of the Under Secretaries' Group for Regional Operations established in Executive Order 11647, as amended by Executive Order 11892; and shall be the liaison between the Secretarial Representatives and Washington-based officials in the Department and other Federal agencies.

The Deputy Under Secretary for Regional Affairs shall also be responsible for assuring that the Department's policies and programs are communicated to, and are responsive to the needs of, the public and business, government, and other individuals and organizations in the Standard Federal Regions; and that Department programs which affect the Regions are coordinated with related programs of other government agencies.

.02 The Secretarial Representatives shall:

a. Represent the Secretary to individuals and organizations in the Regions.

b. As authorized by Executive Order 11892, represent the Department on, and provide staff support to, the Federal Regional Councils.

c. Maintain continuing liaison with the regional programs operating officials of the Department to insure coordination both among the Department's programs and between these programs and the programs of other Federal agencies, states, and local governments.

d. Initiate, plan, and conduct studies and reviews to identify conditions which may limit the ability of the Department's operating officials to coordinate their programs with other programs of the Department, and those of other Federal agencies, states, and local governments; recommend to the Secretary and to other officials in the Department, in other Federal agencies, and in state and local governments, the policy and procedural changes which could eliminate these conditions; and work with these officials to implement decisions consequent thereto.

e. Maintain continuing liaison with the public, and with business, government, and other officials in the Regions to facilitate the delivery of the Department's services within these Regions.

f. Make periodic reviews of the effectiveness of the Department's programs in meeting the needs of the Regions, and report the findings and recommendations of such reviews to the Secretary.

g. Provide the Secretary with information on developments and activities in

the Regions, particularly on legislative, business, and economic issues which may affect the Department's programs in the

h. Perform such other functions as the Regions.

Secretary may from time to time direct. Section 5. Limitation on authority.

Nothing in this order shall alter, amend, modify, or repeal any parts of other standing orders which delineate the duties and responsibilities of program officials operating in the Regions.

JOSEPH E. KASPUTYS,
Assistant Secretary
for Administration.

[FR Doc.76-30249 Filed 10-14-76;8:45 am]

ADVISORY COMMITTEE ON PRODUCT LIABILITY

Open Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. V. 1975), notice is hereby given that a meeting of the Advisory Committee on Product Liability will be held at 9:30 a.m., Monday November 1, 1976 in Room 6802 of the Main Commerce Building 14th Street between E. Street and Constitution Avenue, N.W., Washington, D.C.

The Committee was established to advise the Department, through the Under Secretary, on measures that might be taken in the public policy area to facilitate improvements in the product liability process.

Agenda items are as follows:

1. Progress report on Department product liability activities.
2. Discussion of questions generated by first meeting.
3. Discussion of major issues involving products liability claims.
4. Evaluation of potential remedies.
5. Comments and questions from the public.
6. Setting of the date for the next meeting and tentative agenda.

The meeting will be open to public observation and a period will be set aside for oral comments or questions by the public. Any person who wishes to file a written statement with the Committee may do so before or after the meeting. Approximately 40 seats will be available to the public on a first come, first serve basis.

Minutes of the meeting will be available on request 30 days after the meeting from the Committee Control Officer.

Additional information may be obtained from Edward T. Barrett, II, Committee Control Officer, Room 2898C, United States Department of Commerce, Washington, D.C. 20230.

Dated: October 13, 1976.

EDWARD O. VETTER,
Under Secretary of Commerce.

[FR Doc.76-30552 Filed 10-14-76;12:01 pm]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration

NATIONAL ADVISORY MENTAL HEALTH COUNCIL

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. Appendix I), announcement is made of the following National Advisory body scheduled to assemble during the month of December 1976:

Name: National Advisory Mental Health Council.

Date and time: December 6-7; 9:30 a.m.

Open meeting.

Place: Conference Room 14-105, Parklawn Building, Rockville, Maryland.

Contact: Mrs. Zella Diggs, Parklawn Building Room 11-101, 5600 Fishers Lane, Rockville, Maryland 20852, 301-443-4333.

Purpose: The National Advisory Mental Health Council advises the Secretary, Department of Health, Education, and Welfare, the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, and the Director, National Institute of Mental Health, regarding the policies and programs of the Department in the field of mental health. The Council reviews applications for grants-in-aid relating to research, training, and services in the field of mental health and makes recommendations to the Secretary with respect to approval of applications for, and the amount of, these grants.

Agenda: The entire meeting will be devoted to discussion of NIMH policy issues and will be open to the public. Discussions will include current administrative, legislative, and program developments.

Attendance by the public will be limited to space available.

Substantive information may be obtained from the contact person listed above.

The NIMH Information Officer who will furnish summaries of the meeting and rosters of the Council members is Mr. Edwin Long, Deputy Director, Division of Scientific and Public Information, National Institute of Mental Health, Room 15-105, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852, 301-443-3600.

Dated: October 8, 1976.

CAROLYN T. EVANS,
Committee Management Officer,
Alcohol, Drug Abuse, and
Mental Health Administration.

[FR Doc.76-30238 Filed 10-14-76;8:45 am]

Food and Drug Administration ARTHRITIS ADVISORY COMMITTEE Meeting Change

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration

announced in a notice published in the FEDERAL REGISTER of September 23, 1976 (41 FR 41771), public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a)(1) and (2) of the act.

Notice is hereby given that the open committee discussion portion of the meeting of the Arthritis Advisory Committee for October 21 will also include new drug application (NDA) 12-141, Cytosan (cyclophosphamide).

Dated: October 7, 1976.

JOSEPH P. HILE,
Acting Associate
Commissioner for Compliance.

[FR Doc.76-30079 Filed 10-14-76;8:45 am]

[Docket No. 76N-0295; DESI 9698]

MEPROBAMATE ORAL PREPARATIONS

Drugs for Human Use; Drug Efficacy Study Implementation; Followup Notice and Opportunity for Hearing

In a notice (DESI 9698; Docket No. FDC-D-227 (now Docket No. 76N-0295)) published in the FEDERAL REGISTER of September 19, 1970 (35 FR 14663), the Food and Drug Administration announced its conclusions that the drug products described below are (1) effective for the relief of anxiety and tension; as an adjunct in the treatment of various disease states in which anxiety and tension are manifested; and to promote sleep in anxious, tense patients; (2) probably effective in anxiety states associated with tension headache, medical and surgical disorders and procedures, heart disease, and behavior disorders; (3) possibly effective as adjunctive therapy in the control and rehabilitation of chronic alcoholic patients, and as adjunctive therapy in the treatment of psychoses; and (4) lacking substantial evidence of effectiveness for all their other labeled indications. The notice also offered an opportunity for a hearing concerning the indications concluded at that time to lack substantial evidence of effectiveness. The manufacturers of the drug products deleted from the labeling of the drug products the probably effective indications, the possibly effective indications, and the indications lacking substantial evidence of effectiveness. No person has submitted any data in support of the probably effective and possibly effective indications and those indications are now reclassified as lacking substantial evidence of effectiveness. This notice offers an opportunity for a hearing concerning those indications and sets forth the conditions for marketing the drug products for the indications for which they continue to be regarded as effective. Persons who wish to request a hearing may do so on or before November 30, 1976.

The notice that follows does not pertain to the indications stated in the September 19, 1970 notice to lack sub-

stantial evidence of effectiveness. No person requested a hearing concerning them and they are no longer allowable in labeling. Any such product labeled for those indications is subject to regulatory action.

1. NDA 9-698; Miltown Tablets and Mepro tabs (sugar-coated tablets); and
2. NDA 11-284; Meprospan (sustained-release) Capsules, each containing meprobamate; Wallace Laboratories, Division of Carter-Wallace, Inc., Half Acre Rd., Cranbury, NJ 08512.

3. NDA 10-028; Equanil Tablets and Enteric Coated Tablets; and

4. NDA 11-535; Equanil Suspension; and

5. NDA 12-455; Equanil LA (long acting) Tablets, each containing meprobamate; Wyeth Laboratories, Division American Home Products Corp., P.O. Box 8299, Philadelphia, PA 19101.

6. NDA 12-432; Meprobamate Tablets; Gyma Laboratories of America, Inc., 118-21 Queens Blvd., Forest Hills, NY 11375.

The following new drug applications, all providing for products containing meprobamate, were not included in the notice of September 19, 1970, but they are affected by this notice:

1. NDA 10-511; Miltown Tablets and Capsules, and Meprobamate Tablets; Lederle Laboratories, Division of American Cyanamid Co., P.O. Box 500, Pearl River, NY 10965.

2. NDA 12-513; Pertranquil Tablets; Philadelphia Pharmaceutical & Cosmetic Co., 9815 Roosevelt Blvd. & Blue Grass Rd., Philadelphia, PA 19114.

3. NDA 12-866; Meprobamate Tablets; Riverton Laboratories, 852 Clinton Ave., & 20th St., Newark, NJ 07108.

4. NDA 14-322; Meprobamate Tablets; Richlyn Laboratories, 3725 Castor Ave., Philadelphia, PA 19124.

5. NDA 14-344; Meprobamate Tablets; Bryant Pharmaceutical Corp., 70 S. Mac Questen Pkwy., Mt. Vernon, NY 10550.

6. NDA 14-359; Neuramate Tablets; Halsey Drug Co., Inc., 1827 Pacific St., Brooklyn, NY 11233.

7. NDA 14-364; Meprobamate Tablets; Bates Laboratories, Inc., Division LTC Pharmaceuticals Corp., 2312 West Main St., Evanston, IL 60202.

8. NDA 14-365; Meprobamate Tablets; Philadelphia Laboratories, Inc., Division Philadelphia Pharmaceutical & Cosmetic Co.

9. NDA 14-367; Meprobamate Tablets; American Pharmaceutical Co., P.O. Box 2222, Elizabeth, NJ 07207.

10. NDA 14-368; Meprobamate Tablets; McKesson Laboratories, P.O. Box 548, Bridgeport, CT 06602.

11. NDA 14-417; Meprobamate Tablets; BBC Laboratories, Division Brunswick Drug Co., 700 N. Seperluada Blvd., El Segundo, CA 90245.

12. NDA 14-464; Meprobamate Tablets; Towne Paulsen & Co., Inc., 140 East Duarte Rd., Monrovia, CA 91016.

13. NDA 14-474; Meprobamate Tablets; Stanley Drug Products, Inc., Division Spertl Drug Corp., P.O. Box 3108, Portland, OR 97208.

14. NDA 14-509; Meprobamate Tablets; Chase Chemical Co., 280 Chestnut St., Newark, NJ 07105.

15. NDA 14-511; Meprobamate Tablets; Davis-Edwards Pharmacal Corp., Davis-Edwards Rd., Danbury, CT 06810.

16. NDA 14-547; Meprobamate Tablets; Premo Pharmaceutical Laboratories, Inc., 111 Leuning St., S. Hackensack, NJ 07606.

17. NDA 14-600; Meprobamate Tablets; Vitamix Pharmaceuticals, Inc., Division Philadelphia Pharmaceutical & Cosmetic Co., Inc., 1500 Walnut St., Philadelphia, PA 19102.

18. NDA 14-601; Meprobamate Tablets; Leo Linden Laboratories, Inc., 5353 Grosvenor Blvd., Los Angeles, CA 90066.

19. NDA 14-644; Meprobamate Tablets; Wynlit Pharmaceuticals, Division Unimed, Inc., Rt. 202, Morristown, NJ 07960.

20. NDA 14-769; Meprobamate Tablets; Nysco Laboratories, Inc., Division USV Pharmaceuticals Corp., 34-24 Vernon Blvd., Long Island City, NY 11106.

21. NDA 14-772; Viobamate Tablets; Rowell Laboratories, Inc., Baudette, MN 56623.

22. NDA 14-862; Meproleaf Tablets; Gold Leaf Pharmacal Co., Inc., Division Ormont Drug & Chemical Co., 520 South Dean St., Englewood, NJ 07631.

23. NDA 14-882; Meprobamate Tablets; The Lannett Co., Inc., 9000 State Rd., Philadelphia, PA 19136.

24. NDA 15-023; Meprobamate Tablets; Wynlit Pharmaceuticals.

25. NDA 15-072; Probamin Tablets and Sedabamate Tablets; Mallard, Inc., 3021 Wabash Ave., Detroit, MI 48216.

26. NDA 15-079; Meprobamate Tablets; Rexall Drug Co., P.O. Box 7189, St. Louis, MO 63115.

27. NDA 15-081; Meprobamate Tablets; Kirkman Laboratories, Inc., P.O. Box 3929, Portland, OR 97208.

28. NDA 15-132; Meprobamate Tablets; Professional Drug Products, 621 West Pico Blvd., Los Angeles, CA 90015.

29. NDA 15-139; Meprobamate Tablets and Meprobamate Yellow Tablets; ICN Pharmaceuticals, 222 North Vincent Ave., Covina, CA 91722.

30. NDA 15-170; Fas-clie Tablets; Schlick-sup Drug Co., Inc., 420 Southwest Washington St., Peoria, IL 61602.

31. NDA 15-202; Meprobamate Tablets; Truett Laboratories, Division Southwestern Drug Corp., P.O. Box 34029, Dallas, TX 75234.

32. NDA 15-417; Meprobamate Tablets; West-Ward, Inc., 745 Eagle Ave., Bronx, NY 10456.

33. NDA 15-426; Meprobamate Tablets; Ketchum Laboratories, Inc., 26 Edison St., Amityville, NY 11701.

34. NDA 15-437; Meprobamate Tablets; Phoenix Laboratories, Inc., 175 Lauman Ln., Hicksville, NY 11811.

35. NDA 15-438; Meprobamate Tablets; Zenith Laboratories, Inc., 140 LeGrand Ave., Northvale, NJ 07647.

36. NDA 16-021; Meprobamate Tablets; Pennex Products Co., Inc., Eastern Ave. at Pennex Dr., Verona, PA 15147.

37. NDA 16-025; Meprobamate Tablets; Barrows Chemical Co., Inc., 303 Prospect St., Inwood, Long Island, NY 11696.

38. NDA 16-039; Meprobamate Tablets; Vita-Fore Products Co., Inc., 95-07 98th St., Ozone Park, NY 11416.

39. NDA 16-051; Meprobamate Tablets; Lit Drug Co., 2530 Polk St., Union, NJ 07083.

40. NDA 16-068; Meprobamate Tablets; Leeds Dixon Laboratories, Inc., Moonachie, NJ 07074.

41. NDA 16-069; Klort Tablets; Lemmon Pharmacal Co., Sellersville, PA 18960.

42. NDA 16-107; Protran White Tablets and Protran Yellow Tablets; Rand Laboratories, Inc., P.O. Box 7312, Metairie, LA 70002.

43. NDA 16-112; Meprobamate Tablets; Purepac Corp., Division Elizabeth Laboratories, 200 Elmora Ave., Elizabeth, NJ 07207.

44. NDA 16-249; Meptan Tablets and Traner Tablets; Reid-Provident Laboratories, Inc., 25 Fifth St., N.W., Atlanta, GA 30308.

45. NDA 16-254; Meprobamate Tablets; Modern Drugs, Inc., 21020 Soledad Canyon Rd., Saugus, CA 91350.

46. NDA 16-316; Tamate Tablets; Merrell-National Laboratories, Division Richardson-Merrell, Inc., P.O. Box 15260, Cincinnati, OH 45215.

47. NDA 16-686; Meprobamate Tablets; Phillips Roxane Laboratories, Inc., P.O. Box 1738, Columbus, OH 43216.

48. NDA 16-789; Meprobamate Tablets; Rondex Laboratories, Inc., 68 69th St., Guttenberg, NJ 07093.

49. NDA 16-928; Meprobamate Tablets; Heather Drug Co., Inc., No. 1 Fellowship Rd., Cherry Hill, NJ 08034.

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. An approved new drug application is a requirement for marketing such drug products.

In addition to the holder(s) of the new drug application(s) specifically named above, this notice applies to all persons who manufacture or distribute a drug product, not the subject of an approved new drug application, that is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice to determine whether it covers any drug product he manufactures or distributes. Any person may request an opinion of the applicability of this notice to a specific drug product he manufactures or distributes that may be identical, related, or similar to a drug product named in this notice by writing to the Food and Drug Administration, Bureau of Drugs, Division of Drug Labeling Compliance (HFD-310), 5600 Fishers Lane, Rockville, MD 20852.

A. Effectiveness classification. The Food and Drug Administration has reviewed all available evidence and concludes that the drug products are effective for the indications listed in the labeling conditions below. The drug products now lack substantial evidence of effectiveness for the indications evaluated as probably effective and possibly effective in the September 19, 1970 notice.

B. Conditions for approval and marketing. The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. **Form of drug.** The drug is in tablet, capsule, or suspension form suitable for oral administration. The dosage form may be formulated for standard or controlled release.

2. **Labeling conditions.** a. The label bears the statement, "Caution: Federal law prohibits dispensing without prescription."

b. The drug is labeled to comply with all requirements of the act and regulations, and the labeling bears adequate information for safe and effective use of the drug. The Indications are as follows:

For the relief of anxiety and tension; as an adjunct in the treatment of various disease states in which anxiety and tension are manifested; and to promote sleep in anxious, tense patients.

3. *Marketing status.* a. Marketing of such drug products that are now the subject of an approved or effective new drug application may be continued provided that, on or before December 14, 1976, the holder of the application submits, if he has not previously done so, (i) a supplement for revised labeling as needed to be in accord with the labeling conditions described in this notice, and complete container labeling if current container labeling has not been submitted, and (ii) a supplement to provide updating information with respect to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of new drug application form FD-356H (21 CFR 314.1(c)) to the extent required in abbreviated applications (21 CFR 314.1(f)).

b. Approval of an abbreviated new drug application (ANDA) (21 CFR 314.1(f)) must be obtained prior to marketing such product. For controlled release forms, data from appropriate bioavailability studies will be required as part of the ANDA. Marketing prior to approval of a new drug application will subject such products, and those persons who caused the products to be marketed, to regulatory action.

c. *Notice of opportunity for hearing.* On the basis of all the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111 (a)(5), demonstrating the effectiveness of the drug(s) for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice.

Notice is given to the holder(s) of the new drug application(s), and to all other interested persons, that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of the new drug application(s) and all amendments and supplements thereto providing for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice, to delete the claim(s) lacking substantial evidence of effectiveness.

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related,

or similar drug products as defined in 21 CFR 310.6), e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt from part or all of the new drug provisions of the act pursuant to the exemption for products marketed prior to June 25, 1938, contained in section 201(p) of the act, or pursuant to section 107(c) of the Drug Amendments of 1962; or for any other reason.

In accordance with the provisions of section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Parts 310, 314), the applicant(s) and all other persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above (21 CFR 310.6), are hereby given an opportunity for a hearing to show why approval of the new drug application(s) providing for the claim(s) involved should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and all identical, related, or similar drug products.

If an applicant or any person subject to this notice pursuant to 21 CFR 310.6 elects to avail himself of the opportunity for a hearing, he shall file (1) on or before November 15, 1976, a written notice of appearance and request for hearing, and (2) on or before December 14, 1976, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this proposal to withdraw approval. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 314.200.

The failure of an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 to file timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such person not to avail himself of the opportunity for a hearing concerning the action proposed with respect to such drug product and, a waiver of any contentions concerning the legal status of such drug product. Any such drug product labeled for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the

data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgments against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this notice of opportunity for hearing shall be filed in quintuplicate. Such submissions, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk (address given below) during working hours, Monday through Friday.

Communications forwarded in response to this notice should be identified with the reference number DESI 9698, directed to the attention of the appropriate office named below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Supplements (identify with NDA number): Division of Neuropharmacological Drug Products (HFD-120), Rm. 10B-34, Bureau of Drugs.

Original abbreviated new drug applications (identify as such): Division of Generic Drug Monographs (HFD-530), Bureau of Drugs.

Request for Hearing (identify with Docket number appearing in the heading of this notice): Hearing Clerk, Food and Drug Administration (HFC-20), Rm. 4-65.

Requests for the report of the National Academy of Sciences-National Research Council: Public Records and Document Center (HFC-18), Rm. 4-62.

Other communications regarding this notice: Drug Efficacy Study Implementation Project Manager (HFD-101), Bureau of Drugs.

(Secs. 502, 505, 52 Stat. 1050-1053, as amended (21 U.S.C. 352, 355 and under the authority delegated to the Director of the Bureau of Drugs (21 CFR 5.31) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)).)

Dated: October 4, 1976.

J. RICHARD CROFF
Director, Bureau of Drugs.

[FR Doc 76-30931 Filed 10-14-76; 8:45 am]

[Docket No. 76N-0411]

NAPROSYN TABLETS

Opportunity for Hearing on Proposal To Withdraw Approval of New Drug Application

The Food and Drug Administration (FDA) proposes to withdraw approval of the new drug application (NDA 17-581) for Naprosyn (naproxen) Tablets held by Syntex Corporation, 3401 Hillview Ave., Palo Alto, CA 94304, on the ground that it contains untrue statements of material facts. Any request for a hearing or comments must be submitted on or before November 15, 1976.

Naproxen is a nonsteroidal anti-inflammatory agent indicated for use in the management of rheumatoid arthritis and thus intended for long term administration when appropriate. NDA 17-581 authorizing marketing of Naprosyn brand of naproxen tablets was approved on March 11, 1976. The application contained statements regarding studies of the long-term toxicity of Naprosyn which represented the drug to be safe for chronic human use.

The Director of the Bureau of Drugs now has reason to believe that certain material facts either were misstated in the application for Naprosyn or were omitted from the application. As a consequence, the agency's evaluation of the safety of Naprosyn was based on erroneous data. Therefore, the Director is proposing to withdraw the approval of the application for Naprosyn.

BACKGROUND

The new drug regulations require that an NDA contain full reports of adequate preclinical tests by all methods reasonably applicable to show whether or not the drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling. The reports are to include all studies made on laboratory animals, the methods used, and the results obtained. 21 CFR 314.1(c). The NDA form itself states that the application may be refused unless it contains full reports of such preclinical tests and unless those tests adequately take into consideration such special factors as whether the drug is intended for long-term administration. 21 CFR 314.1(c), Form FD-356H, paragraph 10a, b.

This regulatory requirement supplements section 505(d) (1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(d) (1)), under which the Commissioner of Food and Drugs shall, after affording the applicant due notice and an opportunity for a hearing, refuse to approve an NDA that fails to contain evidence of adequate safety testing by all reasonably applicable methods. Protection of the public health, as well as the strictures of the act and regulations, requires that new drugs lacking evidence of adequate tests of safety not be permitted on the market.

The act also provides for the withdrawal of approval of an application that contains any untrue statement of a material fact. Section 505(e) (4) (21 U.S.C. 355(e) (4)). Among the grounds on which an application may be deemed to contain an untrue statement of a material fact is the omission from the application of any information obtained from investigations as to safety if such omission prevents a proper evaluation of the safety of the drug. 21 CFR 314.12 (b) (1). Likewise, the misstatement, whether inadvertent or not, of significant data from which conclusions as to safety are to be drawn must be deemed to constitute an untrue statement of material fact.

ANIMAL STUDIES

Because Naprosyn is intended for long-term administration to humans, one test essential to a determination of its safety is a long-term animal toxicity study designed to measure the effects of chronic exposure to the drug over a substantial portion, or all, of the life span of the animal. It has long been the policy of FDA that an NDA for a drug intended for chronic administration, i.e., more than 6 months, is not approvable unless the preclinical tests include a long-term rodent toxicity study. This policy is widely recognized among drug manufacturers and has been enunciated publicly in speeches made between 1968 and 1972 by Dr. William D'Aguanno, Chief Pharmacologist of the FDA Bureau of Drugs, and in publications. ("Drug Toxicity Evaluation—Pre-Clinical Aspects," FDA Introduction to Total Drug Quality, U.S. Government Printing Office No. 1712-00220, Nov. 1973, pp. 35-40; and "Drug Safety Evaluation—Pre-Clinical Considerations," Industrial Pharmacology, Vol. I, S. Fielding, ed., Futura Publishing Co., Mount Kisco, NY, 1974, pp. 317-332.)

To comply with this requirement for Naprosyn, Syntex submitted the results of one study, a 22-month chronic oral toxicity study in 160 albino rats carried out by Industrial Bio-Test Laboratories (IBT) of Northbrook, IL, under Syntex sponsorship (the "IBT rat study"). That study was used for evaluating both the chronic toxic effect of the compound and the likelihood of its having carcinogenic potential. Two other long-term animal toxicity studies (a 12-month study in the mini-pig and 39-week study in the rhesus monkey) were not adequate to answer these questions because they were not carried out over the major portion of the life span of the animals, and they did not involve a sufficient number of animals to permit a meaningful assessment of carcinogenic potential. The clinical trials and usage to date are also not sufficient to assure long-term safety or lack of oncogenic potential; only a relatively small number of patients have received the drug for as long as 3 years, while the latent period for chemical carcinogenesis in humans may be 10 years or more. Furthermore, clinical experience is an insensitive indicator of carcinogenic potential of drugs.

The agency's assessment of long-term safety underlying the approval of NDA 17-581 was based, therefore, exclusively on the IBT rat study. The materiality of this study and the data reported to FDA is evident from the fact that without the study, Syntex's application would not have been approved, for it would have failed to meet the agency's requirement of adequate long-term animal toxicity data to show whether Naprosyn is safe for chronic use.

UNTRUE MATERIAL STATEMENTS

FDA scientific and regulatory personnel have recently conducted an investi-

gation of the circumstances of performance and the laboratory records of the IBT rat study. On the basis of this investigation, the Director of the Bureau of Drugs has determined that the report of the study submitted to FDA contained serious discrepancies from the records of the study held by IBT, and that other significant information concerning the study was omitted from the reports in the NDA. The Director of the Bureau of Drugs therefore finds that the report of the study in the NDA contains untrue statements of material facts that render the report uninterpretable in documenting the lack of chronic toxic effects or carcinogenic potential of the drug and thereby vitiate the earlier conclusions reached by the agency regarding the long-term safety of Naprosyn. Specifically:

1. The original NDA submitted by Syntex represents that the IBT rat study contained a sufficient number of animals for which records pertaining to necropsy, urinalysis, hematology, histopathology, general animal condition, and feeding and weight data were available to permit an adequate evaluation of the long-term toxic and carcinogenic potential of the drug.

Instead, the original laboratory records revealed that for no single animal among the 160 animals that began the study was a complete set of such records maintained as required by the study protocol agreed upon by Syntex and IBT and submitted to FDA in the application, and that the extent of missing records was substantial and serious. For example, the protocol required daily examinations of all animals, with special attention to be given to the presence of externally visible tissue masses likely to be tumors; however, no systematic records of such daily examinations were available during the FDA investigation. Further, while the results of hematology, clinical chemistry, and urinalysis determinations and gross (readily visible without a microscope) pathology observations were reported in the NDA, the agency's investigation revealed no records at all to support the hematology and clinical chemistry determinations and only partial records on urinalysis determinations, body-weight values, and gross observations, ante and post mortem.

2. Syntex's submissions regarding the IBT rat study represented that a specified set of tissues had been examined histopathologically (with a microscope). In fact, laboratory records show that only some of these tissue samples were collected or prepared for examination. In addition, FDA inspection of the raw data in IBT's files disclosed that, in certain cases, actual tumors were found in animals but were not mentioned in the submission, which is part of the NDA, and that the same was true with certain lesions other than tumors.

3. Withheld from the report submitted in the NDA was the fact that the majority of the animals observed post mortem

had already entered a state of advanced autolysis or decomposition at the time of examination, rendering unreliable any gross observations made. Despite such unreliability, the NDA contains data on the results of gross observations of certain organs, and reports, for example, that the lung tissues of animals showed signs of congestion or, by a lack of attribution of findings, implies that the tissues examined were normal. The original laboratory records discovered at IBT indicate that the problem of autolysis was so extensive that, had it been made known to FDA during the agency's review and evaluation of the IBT rat study, this discovery alone would have rendered the entire study unacceptable in documenting the safety of the drug. In addition, many of the 47 animals described in one log kept by IBT as being "too badly autolysed, technician destroyed animal" were found to have certain gross pathologic findings ascribed to them in another log and reported in the NDA. Whether, in fact, these pathology observations were not made because of immediate discarding of the animals or instead were made in animals too badly decomposed to permit a reliable evaluation is not known, but either conclusion renders unacceptable the findings reported in the NDA.

* An inspection of the records at IBT disclosed numerous inconsistencies with the report, which is part of the NDA, indicating that experimental animals were either identified incorrectly or were misplaced within and among the various treatment groups. For example, many animal weights were recorded as having been collected while the animals were alive on date subsequent to their dates of death; several animals were recorded as having died on more than one date, usually with different versions of gross post mortem findings; extreme variations in body weight were noted both during successive weighings of the same animals and within any group of animals weighed at the same time, even though all animals were reported to have received standard care and drug administration. Such confusion with respect to animal identity renders unreliable any estimate of the onset and persistence of certain important toxic manifestations of naproxen, such as gastrointestinal ulcerations.

The applicant, Syntex, was made aware of these findings by a letter dated August 5, 1976, from the Director of the Bureau of Drugs. The company was more fully advised of the findings in a meeting held between representatives of the Food and Drug Administration and Syntex on August 20, 1976, during which the Syntex representatives acknowledged and discussed many of the discrepancies and deficiencies found in the report of the IBT rat study. Copies of the letter and minutes of the meeting have been placed on file at the office of the Hearing Clerk, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852.

LEGAL BASIS FOR WITHDRAWAL OF NDA

When an approved NDA is later found to have contained untrue statements of facts which were material at the time of approval and which remains material when the untruth is discovered, the law requires that the application be withdrawn, after appropriate notice of opportunity for a hearing and the holding of such hearing if justified. In certain circumstances, statements of fact that were material to approval of an NDA at the time the agency evaluated the application may have ceased to be material when they are discovered to be untrue. For example, evidence invalidating a study that was essential to the original evaluation of the safety of a drug may not be discovered until years after the drug is approved and marketed, and under some circumstances intervening wide clinical experience or additional studies with the drug may be sufficient to resolve the questions of safety originally addressed by the study in question. In another possible situation, the Bureau of Drugs might determine that the studies that were required at the time of the initial approval of an NDA are not, in light of more recent toxicological standards, in fact essential to such continuing approval. An untrue statement in such information would not be regarded as material for purposes of withdrawing approval of the NDA, notwithstanding that initial approval would not have been granted had the untrue statements been known at the time. In such situations, the Director of the Bureau of Drugs may decline to initiate withdrawal of approval of the NDA.

No such circumstances exist in this case, however. Naprosyn is not a long-approved or an extensively used drug. Moreover, the agency regards a long-term toxicity study as having been essential to the approval of the NDA for Naprosyn and essential to a current assessment of its safety, and thus as material. The Director concludes, therefore, that the misstated facts, which were material to the original approval of the NDA for Naprosyn and continue to be material, justify its withdrawal at this time.

In a proceeding to determine whether to withdraw approval of the NDA for Naprosyn under section 505(e) (4) of the act, the only issues are whether the statements in the application (a) were actually made, (b) were untrue, and (c) were material, and continue to be material, to the approval of the application. To justify a hearing on the proposed withdrawal of approval, Syntex must be able to show that there is a genuine dispute with respect to one or more of these issues. No other issues are germane to a decision to withdraw approval of an NDA on this ground.

Evidence supporting a claim that statements in the report of the IBT rat study included in the NDA were not untrue must demonstrate that the report as submitted was complete and accurate

in all respects. This evidence must consist of original records, such as laboratory records, log books, and pathology slides which prove that the report is supported by the actual raw data and is therefore true.

Evidence supporting a claim that the misstatements in and omissions from the report of the IBT rat study were not material must demonstrate either of the following two propositions:

(a) That valid scientific conclusions can be drawn from the actual raw data generated during the study and therefore that the misstatements and omissions are not material to an evaluation of the study as evidence of the safety of Naprosyn for long-term use. Evidence to support this proposition must consist of original records, such as laboratory records, log books, and pathology slides which demonstrate clearly and objectively that the study was performed with the requisite number of properly identified animals, that adequate contemporaneous records were maintained, and that unequivocal scientific conclusions regarding the safety of the drug for long-term use can be drawn from the data obtained from this study. Hypothetical reconstructions of portions of the IBT rat study, such as those offered by Syntex representatives in the August 20, 1976 meeting, and plausible, but conjectural, explanations cannot suffice to demonstrate that the errors in the report are not material.

(b) That the IBT rat study itself was not material to the approval of the application at the time it was approved or is not now material to an evaluation of the long-term safety of the drug. Evidence to support this proposition must demonstrate either (1) that the study was not essential to the original evaluation of the safety of the drug; or (2) that intervening events since the time of approval, e.g., new scientific information derived from human experience or animal investigations or changing scientific standards, have rendered the study scientifically obsolete and therefore not material to a current appraisal of safety.

In the absence of a showing that such proof is available to demonstrate that the statements are not untrue or are not material, the statute mandates that FDA withdraw the NDA.

If approval of the Naprosyn NDA is withdrawn, Syntex may resubmit the application and may include either new data providing evidence of long-term safety from a rodent study completed since March 1976 or a resubmission of the IBT rat study. If the application is resubmitted, the Bureau of Drugs will determine whether the application is approvable under the statutory criteria set forth in section 505(d). If the Bureau finds the application to be not approvable, it would follow the customary procedures for denying an NDA, including providing Syntex with an opportunity for a hearing on the proposed denial. That process provides the proper forum for assessing whether Syntex's attempt to reconstruct the IBT rat study provides an acceptable basis for determining the safety of Naprosyn for long-term use.

Accordingly, notice is hereby given to the holder of the new drug application for Naprosyn, and to all other interested persons, that the Director of the Bureau

of Drugs proposes to issue an order under section 505(e)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355 (e)(4)), withdrawing approval of the new drug application and all amendments and supplements thereto on the ground that the application contains untrue statements of material facts.

If any person subject to this notice elects to avail himself of the opportunity for a hearing, he shall file on or before November 15, 1976, a written notice of appearance and request for hearing, and the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this proposal to withdraw approval. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 314.200.

The failure of the applicant and any other person subject to the notice to file a timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such persons not to avail themselves of the opportunity for a hearing, and the approval will be summarily withdrawn.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. For the purposes of such a hearing, the sole issue in this case is whether the application as originally submitted and approved contained untrue statements of a fact material to such approval and to a current evaluation of safety. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person who requests the hearing, making findings and conclusions and denying a hearing.

All submissions pursuant to this notice of opportunity for hearing shall be filed in quintuplicate and directed to the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852. Such submissions, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk during working hours, Monday through Friday.

(Sec. 505, 52 Stat. 1052-1053, as amended (21 U.S.C. 355)), and under authority delegated to the Director of the Bureau of Drugs (21 CFR 5.31) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)).

Dated: October 4, 1976.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.76-30084 Filed 10-8-76;11:44 am]

[Docket No. 76F-0389]

BORG-WARNER CORP.

Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5); 72 Stat. 1786 (21 U.S.C. 348 (b)(5))), notice is given that a petition (FAP 6B3169) has been filed by Borg-Warner Corp., Technical Centre, Washington, WV 26181, proposing that § 121.2633 Acrylonitrile/butadiene/styrene copolymer (21 CFR 121.2633) be amended to provide for expansion of the use of the subject copolymer to conditions of use C and D described in table 2 of § 121.2526(c) (21 CFR 121.2526(c)).

The environmental impact analysis report and other relevant material have been reviewed, and it has been determined that the proposed use of the additive will not have a significant environmental impact. Copies of the environmental impact analysis report may be

seen in the office of the Assistant Commissioner for Public Affairs, Rm. 15B-42 or the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, during working hours, Monday through Friday.

Dated: October 6, 1976.

HOWARD R. ROBERTS,
Acting Director,
Bureau of Foods.

[FR Doc.76-30245 Filed 10-14-76;8:45 am]

ADVISORY COMMITTEES

Meetings

This notice announces forthcoming meetings of the public advisory committees of the Food and Drug Administration. It also sets out a summary of the procedures governing the committee meetings and the methods by which interested persons may participate in the open public hearings conducted by the committees. The notice is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. 1)). The following advisory committee meetings are announced:

Committee name	Date, time, and place	Type of meeting and contact person
1. Ophthalmic Prosthetic Devices Subcommittee of the Ophthalmic Device Classification Panel.	Nov. 1, 9:30 a.m., room 6821, FB-8, 200 C St. SW., Washington, D.C.	Open public hearing 9:30 a.m. to 10:30 a.m.; open committee discussion 10:30 a.m. to 4:30 p.m.; James G. Dillon, Ph. D., (HFK-470), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7238.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to establishment of experience and training requirements for intraocular lens implant surgeons to James G. Dillon, Ph.D., Executive Secretary.

Open committee discussion. Section 520(e)(3)(D)(iii) of the Medical Device Amendments of 1976 establishes that the Secretary may choose to restrict intraocular lenses to investigational use by experts qualified by scientific training

and experience. This intent was reemphasized in the Congressional Record of the House, May 13, 1976, page H-4383.

In view of the above, the panel will discuss and render guidelines concerning experience and training requirements for intraocular lens implant surgeons for consideration by the Bureau of Medical Devices and Diagnostic Products. Any person and/or organization wanting to present comments to the panel or to the Bureau of Medical Devices should contact Dr. James G. Dillon, Executive Secretary, Food and Drug Administration, Bureau of Medical Devices and Diagnostic Products, 8757 Georgia Ave., Silver Spring, MD 20910, (301) 427-7238.

Committee name	Date, time, and place	Type of meeting and contact person
2. Pediatric Subcommittee of the Psychopharmacological Agents Advisory Committee.	Nov. 1, 8:30 a.m., conference room A, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing 8:30 a.m. to 9:30 a.m.; open committee discussion 9:30 a.m. to 5 p.m.; Julius J. Clinque, (HFD-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3560.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational prescription drugs for use in the practice of psychiatry and related fields.

Agenda—Open public hearing. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee.

Open committee discussion. Report on long-term effects of stimulant medication; report on the pediatric guidelines subcommittee; final report on the long-term protocol subcommittee; final report on efficacy of phenothiazine and haloperidol for less than psychotic indications.

Committee name	Date, time, and place	Type of meeting and contact person
3. Science Advisory Board....	Nov. 4 and 5; on Nov. 4, 9 a.m., lecture room, building 12, NCTR, Jefferson, Ark.; on Nov. 5, 8 a.m., conference room 510, University of Arkansas, Little Rock, Ark.	Open public hearing Nov. 4, 9 a.m. to 10 a.m.; open committee discussion Nov. 4, 10 a.m. to 5 p.m.; Nov. 5, 8 a.m. to 12 m.; Ruth Magee, National Center for Toxicological Research, Jefferson, Ark. 72079, 501-626-6330.

General function of the committee. Advises on establishment and implementation of a research program that will assist the Commissioner of Food and Drugs and the Administrator, Environmental Protection Agency, in fulfilling their regulatory responsibilities.

Agenda—Open public hearing. Any interested person may present data, information, or views, orally or in writing, on issues pending before the Board.

Open committee discussion. Report on status of facilities, staff, good laboratory practices and research overview: Carcinogenesis, teratogenesis, mutagenesis, hormone program, computer development, and new initiatives. Discussion of subcommittee reports on the following: bladder cancer, aromatic amines, hormones, matrix approach, risk analysis, teratology, graduate education, immunology, pathology, and inhalation.

Committee name	Date, time, and place	Type of meeting and contact person
4. Diagnostic and Monitoring Instruments and Devices Subcommittee of the Neurological Device Classification Panel.	Nov. 5, 9 a.m., room 1813, FB-8, 200 C St. SW., Washington, D.C.	Open public hearing 9 a.m. to 10 a.m.; open committee discussion 10 a.m. to 4 p.m.; James R. Veale, (HFK-420), 8767 Georgia Ave., Silver Spring, Md. 20910, 201-427-7230.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. There will be a presentation by Allen Grahn, Ph.D., Utah Biomedical Test Laboratories, on the results of a study performed on Electroconvulsive Therapy Apparatus. Interested parties are encouraged to present safety or efficacy information pertinent to the classification of the devices listed below to James R. Veale, Executive Secretary. Submission of data relative to tentative classification findings is also invited.

Open committee discussion. The subcommittee will classify the following devices: Cortical electrodes; depth elec-

trodes; electroconductive media; EEG electrode/lead testers; naso-pharyngeal electrodes; needle electrodes; surface cutaneous electrodes; electrical stimulators, evoked response; mechanical stimulators, evoked response; photostimulators, evoked response; sonic (aural) stimulators, evoked response; audiometers; two-point discriminators; dynamometer esthesiometers; neurodermometers (GSR measurement); percussion hammers; percussors; pinwheels; rheoencephalographs; rigidity analyzers; tuning forks; electroencephalograph units; electromyograph units; nerve conduction velocity measurement instruments; intracranial pressure measuring systems; physiological signal telemetry systems.

Committee name	Date, time, and place	Type of meeting and contact person
5. Surgical Implants and Instruments Subcommittee of the Neurological Device Classification Panel.	Nov. 6, 9 a.m., Crystal City Marriott Hotel, Arlington, Va.	Open public hearing 9 a.m. to 10 a.m.; open committee discussion 10 a.m. to 4 p.m.; James R. Veale, (HFK-420), 8767 Georgia Ave., Silver Spring, Md. 20910, 201-427-7230.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present safety and/or efficacy information pertinent to the classification of the devices listed below to James R. Veale, Executive Secretary. Submission of data relative to tentative classification findings is also invited.

Open committee discussion. The subcommittee will classify the following devices: Ventricular cannulas; angiographic catheters; ventricular catheters; drill motors (electric and pneumatic); manual drill handpiece (brace); manual drills, burrs; trephines and accessories;

powered compound drills, burrs, trephines and accessories; powered simple drills, burrs, trephines and accessories; cranioplasty material forming instruments; skull plate anvils; skull plate screwdrivers; skull punches; angiographic needles; angiographic wire guides and accessories; neurosurgical needles; neurosurgical probes; neurosurgical chairs; neurosurgical head holders (skull clamps); neurosurgical headrests; neuroencephalographic chairs; fiber optic illuminators; neurosurgical headlights; operating microscope systems; stereotaxic instruments and accessories; electrical cutting/coagulating devices (electrosurgical units); chisels and osteotomes; curettes; dissectors; dowel cutters and accessories; elevators; coagulation forceps; manual forceps; gouges; hooks.

Committee name	Date, time, and place	Type of meeting and contact person
6. Clinical Chemistry Subcommittee of the Diagnostic Products Advisory Committee.	Nov. 8 and 9, room 4131, HEW-North, 330 Independence Ave. SW., Washington, D.C.	Open public hearing Nov. 8, 9 a.m. to 10 a.m.; open committee discussion Nov. 8, 10 a.m. to 5 p.m.; Nov. 9, 9 a.m. to 5 p.m.; Kaiser Aziz, Ph.D. (HEW-200), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7234.

General function of the committee. Reviews and evaluates available data concerning the safety and efficacy of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to the petition for reclassification of OVA II to: Kaiser Aziz, Ph.D., Head of Classification.

Open committee discussion. The subcommittee will classify the following clinical chemistry in vitro diagnostic products: Aspartate amino transferase; alanine amino transferase; lactate dehydrogenase; phosphatase (acid and al-

kaline); lipase; albumin; protein (total); proteins (abnormal); phosphorus inorganic; amylase; creatinine; creatine phosphokinase; lipids (total); lipids (fractionation); phospholipids; catecholamines and epinephrine; estrogens (total); estrone; estriol; estradiol; 17-ketogenic steroids; cortisol; folic acid; deoxycorticosterone; gamma-glutamyl transpeptidase; triiodothyronine; thyroxine; vanilmandelic acid; vitamin B₁₂; follicle-stimulating hormone; luteinizing cell-stimulating hormone; prolactin; human chorionic gonadotropin; galactose; calcium.

Committee name	Date, time, and place	Type of meeting and contact person
7. Microbiology Subcommittee of the Diagnostic Products Advisory Committee.	Nov. 8 and 9, room 3131, HEW-North, 330 Independence Ave., SW., Washington, D.C.	Open public hearing Nov. 8, 9 a.m. to 10 a.m.; open committee discussion Nov. 8, 10 a.m. to 5 p.m.; Nov. 9, 9 a.m. to 3 p.m.; closed committee deliberations Nov. 9, 3 p.m. to 4:30 p.m.; Bobbi Dresser, (HEW-200), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7175.

General function of the committee. Reviews and evaluates available data concerning the safety and efficacy of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Submission of data relative to tentative classification findings is invited and should be submitted to Mr. Thomas M. Tsakeris, Head of Classification.

Open committee discussion. The subcommittee will review for classification of the following products: Desoxycholate reagent (bile solubility); optochin discs; bacitracin differentiation discs; fluorescent antisera; typing phages, all types; enterotoxins, all types; enterotoxin antisera, all varieties; oxidase (cytochrome oxidase) differentiation discs, strips and reagents; X and V factor discs; fluorescent antisera (pertussis and parapertussis); B. pertussis agglutinating sera, all; B. pertussis antigen; B. parapertussis agglutinating sera; B. parapertussis antigen; corynebacterium diphtheriae fluorescent antisera; C. diphtheria antiserum; exotoxin tests viru-

lence strips; corynebacterium acnes antisera (544,605); salmonella sp. fluorescent antisera, all globulins; Bethesda-ballerup polyvalent antisera; Arizona antisera, antisera, all; shigella sp. fluorescent antisera, all globulins; klebsiella antisera, all types; klebsiella sp. fluorescent antisera, all; shigella sp. fluorescent antisera, all; febrile antigens, all groups; proteus all globulins; klebsiella antisera, all herella vaginalis antiserum; acinetobacter calcoaceticus (mima polymorpha) antiserum; flavobacterium meningosepticum antiserum, all groups; pseudomonas pseudomallei antiserum; pseudomonas aeruginosa fluorescent antisera pseudomonas pseudomallei fluorescent antisera; vibrio cholerae antiserum, all varieties; vibrio fetus fluorescent antisera; brucella agglutination antigens (febrile antigens); brucella sp. febrile antigen control serum (positive and negative controls); brucella sp. fluorescent antisera; francisella tularensis antigen (slide and tube); francisella tularensis antiserum; francisella tularensis fluorescent antisera; listeria antigens (slide and tube), all types; listeria antisera, all

types; listeria fluorescent antisera, all types; erysipelotheix rhusiopathiae antigen; erysipelotheix rhusiopathiae antiserum; erysipelotheix rhusiopathiae fluorescent antisera; mycoplasma discs; mycoplasma complement fixation antigens, all; mycoplasma antisera, all; mycoplasma fluorescent antisera, all; leptospira antigens, all; leptospira antisera, all; leptospira fluorescent antisera, all; mycobacterium tuberculosis fluorescent antisera; auramine differentiation discs; TB niacin test strips; TB niacin test control; clostridium sp. antisera, all types; clostridium sp. fluorescent antisera, all types; botulinum antitoxin; stains-acid fast, albert, auramine-rhodamine fluorescent, giemsa, gram, koster, methylene; blue, silver, spore (dörner), wayson; wright, macchiavello, gimenex and iodine; rhinovirus neutralizing sera, all types; CF antigens, all (including control); CF antisera, all; reovirus CF antigen, all (including control); reovirus hemagglutinating antigens all types (including control); reovirus CF antisera; reovirus chicken HAI antisera, all types; reovirus neutralizing serum, all types; psittacosis (chlamydia group) CF antigen; psittacosis (chlamydia group) CF serum; Q fever antigen for CF; Q fever CF serum; screen antigen for spotted fever group; rocky mountain spotted fever serum; screen antigen for typhus fever group; typhus fever serum; murine typhus fever serum; rickettsiae control antigen; rickettsiae pox serum, Q fever fluorescent antisera; lactophenol cotton blue preparation; sporotrichum schenckii fluorescent antisera; Wood's light fluorescence; complement fixing kit for aspergillin; trichinella antigen for bentonite flocculation test; trichinella antiserum for bentonite flocculation test; trichinella spiralis antibody; echinococcosis agglutinating antigen; echinococcosis positive sera; echinococcosis granulosa antigen for fluorescent antisera; schistosoma mansoni antigen for fluorescent antibody test; countercurrent electrophoresis Kit (T. cruzi); Latex Kit for chagas disease (T. cruzi); indirect hemagglutination test kit for T-cruzi.

Closed committee deliberations. The subcommittee will be reviewing a new drug application (NDA) for a transitional in vitro diagnostic product. This portion of the meeting will be closed to permit discussion of trade secret data (5 U.S.C. 552(b)(4)).

Committee name	Date, time, and place	Type of meeting and contact person
8. Fetal Monitoring Devices Subcommittee of the Obstetrics and Gynecological Device Classification Panel.	Nov. 9, 9 a.m., room 6S21, FB-8, 200 G St. SW., Washington, DC.	Open public hearing 9 a.m. to 10 a.m.; open committee discussion 10 a.m. to 4 p.m.; Lillian Yin, Ph.D., (HFD-470), 6737 Georgia Ave., Silver Spring, Md. 20910, 201-427-7233.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to fetal monitor-

ing devices to Lillian Yin, Ph.D., Executive Secretary. Submission of data relative to tentative classification findings is also invited.

Open committee discussion. The subcommittee will discuss specific clinical hazards of fetal monitoring devices.

Committee name	Date, time, and place	Type of meeting and contact person
9. FDA/NIDA Drug Abuse Research Advisory Committee.	Nov. 11, conference room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing 8:30 a.m. to 9:30 a.m.; open committee discussion 9:30 a.m. to 2:15 p.m.; closed committee deliberations 2:15 p.m. to 5 p.m.; John A. Seligman, Ph.D., (HFD-120), 5600 Fishers Lane, Rockville, Md. 20852, 201-413-3304.

General function of the committee. Advises the Food and Drug Administration on action to be taken with respect to investigational use of substances with abuse potential. Advises the National Institute on Drug Abuse on supplies of substances for clinical studies and on quantities of substances for animal and in vitro studies. Advises FDA and NIDA on development of broad outlines for studies of substances with abuse potential and on new methods and tests in animals and man by which the dependence liability of investigational drugs may be estimated.

Agenda—Open public hearing. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee.

Open committee discussion. Discussion of FDA policy regarding opening of meetings; guide for use of cannabis/THC for I.O.P. reduction; use of females with terminal cancer in cannabis research; take-home medication; psychoactive effects from "new" street herbs; and report of Schedule I brochure.

Closed committee deliberations. Review of IND application and amendments; review of preclinical requests. This portion of the meeting will be closed to protect the confidentiality of personnel and medical files, the disclosure of which would constitute a clearly unwarranted invasion of personal property (5 U.S.C. 552(b) (6)).

Committee name	Date, time, and place	Type of meeting and contact person
10. Pulmonary-Allergy and Clinical Immunology Advisory Committee.	Nov. 11 and 12, conference room A, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing Nov. 11, 9 a.m. to 10 a.m.; open committee discussion Nov. 11, 10 a.m. to 4 p.m.; Nov. 12, 9 a.m. to 11 a.m.; closed committee deliberations Nov. 12, 11 a.m. to 2 p.m.; Gerald M. Roschowski, (HFD-160), 5600 Fishers Lane, Rockville, Md. 20852, 201-413-3291.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational prescription drugs for use in the treatment of pulmonary disease and disease with allergenic and/or immunologic mechanisms.

Agenda—Open public hearing. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee.

Open committee discussion. Discussion of changes in FDA advisory committee procedures; new drug application (NDA) 17-573, Vanceric Inhaler: Discussion of Phase 4 studies and management of pa-

tients continued on oral steroids while receiving inhaled Vanceric; stinging insect hypersensitivity: the potential role of Daroff-whole body extract preparations and the role of epinephrine (aerosol vs. parenteral); experimental design of bronchodilator clinical studies; and discussion of intravenous aminophylline dosage requirements in the treatment of asthma.

Closed committee deliberations. Review of investigational new drug (IND) 3369. IND's presently under consideration. This portion of the meeting will be closed to permit discussion of trade secret data (5 U.S.C. 552(b) (4)).

Committee name	Date, time, and place	Type of meeting and contact person
11. Panel on Review of Blood and Blood Derivatives.	Nov. 12 and 13, 9 a.m., room 121, NIH, building 23, 8500 Rockville Pike, Bethesda, Md.	Open public hearing Nov. 12, 9 a.m. to 10 a.m.; open committee discussion Nov. 12, 10 a.m. to 1 p.m.; closed committee deliberations Nov. 12, 1 p.m. to 5 p.m.; Nov. 13, 9 a.m. to 5 p.m.; Clay Sisk, (HFD-5), 8500 Rockville Pike, Bethesda, Md. 20814, 201-443-5155.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of biological products.

Agenda—Open public hearing. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee.

Open committee discussion. Administrative discussion of meeting format and records; discussion of fibrinogen (human) and minutes of previous meeting.

Closed committee deliberations. Re-

view of data submissions from producers of plasma fractionation products including fibrinogen (human), antihemophilic factor (human), factor IX complex (human), normal serum albumin (human), plasma protein fraction (human), Rh₀ (D) immune globulin (human), and stored red blood cell products. This portion of the meeting will be closed to permit discussion of trade secret data and to allow for the free exchange of internal views and for formulation of recommendations (5 U.S.C. 552(b) (4) and (5)).

Committee name	Date, time, and place	Type of meeting and contact person
12. Panel on Review of Miscellaneous External Drug Products.	Nov. 12 and 13, 9 a.m., Conference room C, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing Nov. 12, 9 a.m. to 10 a.m.; closed committee deliberations Nov. 12, 10 a.m. to 4:30 p.m., Nov. 13, 9 a.m. to 4:30 p.m.; Michael D. Kennedy, (HFD-510), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing/open committee discussion. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee. Explanation will be given of new FDA policy concerning open meetings.

Closed committee deliberations. The panel will review data submitted in confidence pursuant to the OTC review's call for data for this panel (see also 21 CFR 330.10(a) (2)). This will include product names, formulas and formulation process data, sales data, and in some cases, por-

tions of pending or approved new drug applications (NDA's). Also, discussions relating to labeling, drug class standards and testing will often be intermixed with discussion of formulas, sales data, or NDA material in such a way that the two discussions often cannot be separated without seriously impeding the progress of the panel's deliberations.

The panel will be reviewing, voting upon, and modifying the content of summary minutes and categorization of ingredients and claims.

This portion of the meeting will be closed to permit discussion of trade secret data and to protect the free exchange of internal views (5 U.S.C. 552(b) (4) and (5)).

Committee name	Date, time, and place	Type of meeting and contact person
13. Panel on Review of Miscellaneous Internal Drug Products.	Nov. 14 and 15, 9 a.m. on Nov. 15, conference room A, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Closed committee deliberations Nov. 14, 9 a.m. to 4:30 p.m.; open public hearing Nov. 15, 9 a.m. to 10 a.m.; closed committee deliberations Nov. 15, 10 a.m. to 4:30 p.m.; Armond M. Welch, (HFD-510), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing/open committee discussion. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee. Explanation will be given of new FDA policy concerning open meetings.

Closed committee deliberations. The panel will review data submitted in confidence pursuant to the OTC review's call for data for this panel (see also 21 CFR 330.10(a) (2)). This will include product names, formulas and formulation process data, sales data, and in some cases, portions of pending or approved new

drug applications (NDA's). Also, discussions relating to labeling, drug class standards, and testing will often be intermixed with discussion of formulas, sales data, or NDA material in such a way that the two discussions often cannot be separated without seriously impeding the progress of the panel's deliberations.

The panel will be reviewing, voting upon, and modifying the content of summary minutes and categorization of ingredients and claims.

This portion of the meeting will be closed to permit discussion of trade secret data and to protect the free exchange of internal views (5 U.S.C. 552(b) (4) and (5)).

Committee name	Date, time, and place	Type of meeting and contact person
14. Toxicology Subcommittee of the Diagnostic Products Advisory Committee.	Nov. 15 and 16, 9 a.m., room 4131, HEW-North, 330 Independence Ave., SW., Washington, DC.	Open public hearing Nov. 15, 9 a.m. to 10 a.m.; open committee discussion Nov. 15, 10 a.m. to 5 p.m.; Nov. 16, 9 a.m. to 5 p.m.; Nabeeh Mourad, Ph. D.; (HFK-200), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7175.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to classification of in vitro diagnostic products listed in the announcement to Nabeeh Mourad, Ph.D., Executive Secretary, Toxicology Subcommittee, 8757 Georgia Ave., Rm. 1219-D (HFK-200), Silver Springs, MD 20910, or S. K. Vadlamudi, Ph.D., D.V.M., Head of Classification, 8757 Georgia Ave., Rm. 1351-E (HFK-440), Silver Spring, MD. 20810.

Open committee discussion. The subcommittee will classify the following in vitro diagnostic products: Products (kits) marketed for the determination of heavy metals in human specimens, products marketed for the determination of drugs other than drugs of abuse in human specimens, and products marketed for use as controls and calibrators in the clinical toxicology laboratory.

The subcommittee on November 16 will classify the following products marketed for use in clinical laboratories: Multipurpose reagents, instruments, systems and components used for the quantitative or qualitative determination of drugs in human specimens.

Committee name	Date, time, and place	Type of meeting and contact person
15. Antimicrobial Agents Advisory Committee.	Nov. 16, 9 a.m., conference room G, Parklawn Bldg., 6600 Fishers Lane, Rockville, Md.	Open public hearing 9 a.m. to 10 a.m.; open committee discussion 10 a.m. to 12 p.m.; closed committee deliberations 1 p.m. to 3 p.m.; open committee discussion 3 p.m. to 4 p.m.; Mary K. Branch, (HFD-519), 6600 Fishers Lane, Rockville, Md. 20852, 201-413-4100.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational prescription drugs for use in infectious diseases.

Agenda—Open public hearing. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee.

Open committee discussion. Discussion

of pediatric dosage forms of tetracycline; revised FDA policy on open advisory committee meetings; and discussion of new drug application (NDA) 50-502.

Closed committee deliberations. Discussion of NDA 50-502 will involve trade secret and safety and effectiveness data. This portion of the meeting will be closed to protect trade secret data (5 U.S.C. 552(b)(4)).

Committee name	Date, time, and place	Type of meeting and contact person
16. Panel on Review of Topical Analgesics.	Nov. 17 and 18, 9 a.m. on Nov. 18, conference room M, Parklawn Bldg., 6600 Fishers Lane, Rockville, Md.	Closed committee deliberations Nov. 17, 9 a.m. to 4:20 p.m.; open public hearing Nov. 18, 9 a.m. to 11 a.m.; closed committee deliberations Nov. 18, 11 a.m. to 4:20 p.m.; Lea Gelfman, (HFD-519), 6600 Fishers Lane, Rockville, Md. 20852, 201-413-4100.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing/open committee discussion. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee. Explanation will be given of new FDA policy concerning open meetings.

Closed committee deliberations. The panel will review data submitted in confidence pursuant to the OTC review's call for data for this panel (see also 21 CFR 330.10(a)(2)). This will include product names, formulas and formulation process data, sales data, and in some

cases, portions of pending or approved new drug applications (NDA's). Also, discussions relating to labeling, drug class standards and testing will often be intermixed with discussion of formulas, sales data, or NDA material in such a way that the two discussions often cannot be separated without seriously impeding the progress of the panel's deliberations.

The panel will be reviewing, voting upon and modifying the content of summary minutes and categorization of ingredients and claims.

This portion of the meeting will be closed to permit discussion of trade secret data and to protect the free exchange of internal views (5 U.S.C. 552(b)(4) and (5)).

Committee name	Date, time, and place	Type of meeting and contact person
17. Panel on Review of Contraceptives and Other Vaginal Products.	Nov. 19 and 20, 9 a.m., conference room L, Parklawn Bldg., 6600 Fishers Lane, Rockville, Md.	Open public hearing Nov. 19, 9 a.m. to 10 a.m.; closed committee deliberations Nov. 19, 10 a.m. to 4:20 p.m.; Nov. 20, 9 a.m. to 4:20 p.m.; Arnold M. Welch, (HFD-519), 6600 Fishers Lane, Rockville, Md. 20852, 201-413-4100.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing/open committee discussion. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee. Explana-

tion of new FDA policy concerning open meetings will be given.

Closed committee deliberations. The panel will review data submitted in confidence pursuant to the OTC review's call for data for this panel (see also 21 CFR 330.10(a)(2)). This will include product names, formulas and formulation process data, sales data, and in some

cases, portions of pending or approved new drug applications (NDA's). Also discussions relating to labeling, drug class standards, and testing will often be intermixed with discussion of formulas, sales data, or NDA material in such a way that the two discussions often cannot be separated without seriously impeding the progress of the panel's deliberations.

The panel will be reviewing, voting upon, and modifying the content of summary minutes and categorization of ingredients and claims.

This portion of the meeting will be closed to permit discussion of trade secret data and to protect the free exchange of internal views (5 U.S.C. 552 (b) (4) and (5)).

Committee name	Date, time, and place	Type of meeting and contact person
18. Panel on Review of Antimicrobial Drugs.	Nov. 19, 20, and 21, 9 a.m., conference room-A, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing Nov. 19, 9 a.m. to 10 a.m.; closed committee deliberations Nov. 19, 10 a.m. to 4:30 p.m., Nov. 20 and 21, 9 a.m. to 4:30 p.m.; Armond M. Welch, (HFD-510), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing/open committee discussion. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee. Explanation will be given of new FDA policy concerning open meetings.

Closed committee deliberations. The panel will review data submitted in confidence pursuant to the OTC review's call for data for this panel (see also 21 CFR 330.10(a)(2)). This will include product names, formulas and formulation process data, sales data, and in some cases, portions of pending or approved new drug applications (NDA's). Also discussions relating to labeling, drug

class standards, and testing will often be intermixed with discussion of formulas, sales data, or NDA material in such a way that the two discussions often cannot be separated without seriously impeding the progress of the panel's deliberations.

The panel will be reviewing, voting upon, and modifying the content of summary minutes and categorization of ingredients and claims.

The panel will be reviewing, voting upon and modifying a preliminary draft of its final report in preparation for submission to the Commissioner.

This portion of the meeting will be closed to permit discussion of trade secret data and to protect the free exchange of internal views (5 U.S.C. 552 (b) (4) and (5)).

Committee name	Date, time, and place	Type of meeting and contact person
19. Panel on Review of Hemorrhoidal Drug Products.	Nov. 21, 22, and 23, 9 a.m. on Nov. 22, conference room B, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Closed committee deliberations Nov. 21, 9 a.m. to 4:30 p.m.; open public hearing Nov. 22, 9 a.m. to 10 a.m.; closed committee deliberations Nov. 22, 10 a.m. to 4:30 p.m., Nov. 23, 9 a.m. to 4:30 p.m.; Gary P. Treclair, (HFD-510), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing/open committee discussion. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee. Explanation of new FDA policy concerning open meetings will be given.

Closed committee deliberations. The panel will review data submitted in confidence pursuant to the OTC review's call for data for this panel (see also 21 CFR 330.10(a)(2)). This will include product names, formulas and formulation process data, sales data, and in some cases, portions of pending or approved new drug applications (NDA's). Also, discussions relating to labeling, drug

class standards, and testing will often be intermixed with discussion of formulas, sales data, or NDA material in such a way that the two discussions often cannot be separated without seriously impeding the progress of the panel's deliberations.

The panel will be reviewing, voting upon and modifying the content of summary minutes and categorization of ingredients and claims.

The panel will be reviewing, voting upon, and modifying draft #9 of its final report in preparation for submission to the Commissioner.

This portion of the meeting will be closed to permit discussion of trade secret data and to protect the free exchange of internal views (5 U.S.C. 552(b) (4) and (5)).

Committee name	Date, time, and place	Type of meeting and contact person
20. Immunology Subcommittee of the Diagnostic Products Advisory Committee.	Nov. 22 and 23, room 4131, HEW-North, 330 Independence Ave. SW., Washington, D.C.	Open public hearing Nov. 22, 9 a.m. to 10 a.m.; open committee discussion Nov. 22, 10 a.m. to 5 p.m., Nov. 23, 9 a.m. to 5 p.m.; Amiram Daniel, Ph. D., (HFK-200), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7180.

General function of the committee. Reviews and evaluates available data concerning the safety and efficacy of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to the classification of products listed in this announcement to S. K. Vadlamudi, Ph. D., D.V.M., Head of Classification. Submission of data relative to tentative classification findings is also invited. Inquiries or information pertaining to other portions of the agenda should be addressed to Amiram Daniel, Ph. D., Executive Secretary.

Open committee discussion. The subcommittee will classify the following products: Rheumatoid factor detection products; hemolytic system (complement fraction) products; C-reactive protein (quantitative) products. Antiserum

to: C₁-C₂-C₃ inhibitors; C₁-factor B; ceruloplasmin (also FITC and rhodamine labeled); fibrinogen (also peroxidase labeled and FITC labeled); ferritin; factor VIII; transferrin (also FITC and rhodamine labeled); thyroglobulin (also FITC and rhodamine labeled); DNA (labeled H³, C¹⁴); total immunoglobulins; complement protein; I₂G₁; I₂G₂; I₂G₃; I₂G₄; Albumin (also FITC and rhodamine labeled); alpha-1-acid glycoprotein; alpha-1-lipoprotein; alpha-2-macroglobulin (also FITC and rhodamine labeled); low density lipoprotein; beta-2-microglobulin; C-reactive protein (qualitative) (also FITC and rhodamine labeled); factor XIII-A & S; free secretory component; hemoglobin (also FITC and rhodamine labeled); lipoprotein X; myoglobin (also FITC and rhodamine labeled); whole human serum and whole human plasma.

Committee name	Date, time, and place	Type of meeting and contact person
21. Obstetrical and Gynecological Device Classification Panel	Nov. 22 and 23, room GS21, FB-8, 200 C St. SW., Washington, DC.	Open public hearing Nov. 22, 9 a.m. to 10 a.m.; open committee discussion Nov. 22, 10 a.m. to 4 p.m.; Nov. 23, 9 a.m. to 3 p.m.; Lillian Yin, Ph. D., (HFE-459), 8767 Georgia Ave., Silver Spring, Md. 20910, 201-427-7223.

General function of the committee. Reviews and evaluates available data concerning the safety and efficacy of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to vaginal vibrators and vaginal electrical muscle stimulators to Lillian Yin, Ph. D., Executive

Secretary. Submission of data relative to tentative classification findings is also invited.

Open committee discussion. The panel will classify vaginal vibrators and vaginal electrical muscle stimulators. The panel will also review the recommendations of the classifications of obstetrical and gynecological devices, and the panel will draft the classification report.

Committee name	Date, time, and place	Type of meeting and contact person
22. Panel on Review of Internal Analgesic Including Antirheumatic Drugs	Nov. 22, 23, and 24, 9 a.m., conference room C, Parklawn Bldg., 6550 Fishers Lane, Rockville, Md.	Open public hearing Nov. 22, 9 a.m. to 10 a.m.; closed committee deliberations Nov. 22, 10 a.m. to 4:30 p.m.; Nov. 23 and 24, 9 a.m. to 4:30 p.m.; Leo Gekker (HFE-516), 6550 Fishers Lane, Rockville, Md. 20852, 201-443-4223.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of nonprescription drug products.

Agenda—Open public hearing/open committee discussion. Any interested person may present data, information, or views, orally or in writing, on issues pending before the committee. Explanation of new FDA policy concerning open meetings will be given.

Closed committee deliberations. The panel will review data submitted in confidence pursuant to the OTC review's call for data for this panel (see also 21 CFR 330.10(a)(2)). This will include product names, formulas and formulation process data, sales data, and in some cases, portions of pending or approved new drug applications (NDA's). Also, discussions relating to labeling, drug

class standards, and testing will often be intermixed with discussion of formulas, sales data, or NDA material in such a way that the two discussions often cannot be separated without seriously impeding the progress of the panel's deliberations.

The panel will be reviewing, voting upon, and modifying the content of summary minutes and categorization of ingredients and claims.

The panel will be reviewing, voting upon, and modifying draft No. 5 of its final report in preparation for submission to the Commissioner.

This portion of the meeting will be closed to permit discussion of trade secret data and to protect the free exchange of internal views (5 U.S.C. 552 (b) (4) and (5)).

Committee name	Date, time, and place	Type of meeting and contact person
23. Pulmonary Functions and Respiratory Therapy Subcommittee of the Anesthesiology Device Classification Panel	Nov. 23, room GS21, FB-8, 200 C St. SW., Washington, DC.	Open public hearing 8:00 a.m. to 9:30 a.m.; open committee discussion 9:30 a.m. to 4:30 p.m.; Franklin K. Coombs, (HFE-459), 8767 Georgia Ave., Silver Spring, Md. 20910, 201-427-7223.

General function of the committee. Reviews and evaluates available data concerning the safety and efficacy of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to devices listed below to Franklyn K. Coombs, Executive Secretary. Submission of data relative to tentative classification findings is also invited. The subcommittee will review the supplemental data sheets prepared from draft forms at previous meetings.

Open committee discussion. The subcommittee will revise the generic names of the following device list to make them more compatible with recognized names: Differential air service transducer; photoelectric transilluminating transducer; reflectance transducer; bicycle ergometer; hyperbolic bicycle ergometer; treadmill ergometer; oxygen nasal can-

nula; oxygen nasal catheter; swivel trach tracheostomy tube connector; re-breathing device; sterile specimen trap; flexible aspirating tube; flexible breathing tube; oxygen connecting tube; cuirass ventilator; two-stage inhalation therapy regulating apparatus; positive pressure attachment; bronchial brush; heat and moisture condenser; oxygen controller; oxygen monitor controller; volumetric ventilation controller; tee drain; accessory unit aerosol kit; non-conductive mask; oxygen mask; low concentration oxygen mask; disposable mouthpiece; nondisposable mouthpiece; oxygen therapy connecting set; intermittent positive pressure breathing (IPPB) set; oxygen supply tubing.

After reviewing the device list the subcommittee will prepare draft supplemental data sheets for the devices listed above.

or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairman's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

The Commissioner, with the concurrence of the Chief Counsel, has determined for the reasons stated that those portions of the advisory committee meetings so designated in this notice shall be closed. Both the Federal Advisory Committee Act and 5 U.S.C. 552(b) permit such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed shall, however, be closed for the shortest time possible consistent with the intent of the cited statutes.

Generally, FDA advisory committees will be closed because the subject matter is exempt from public disclosure under 5 U.S.C. 552(b) (4), (5), (6), or (7), although on occasion the other exemptions listed in 5 U.S.C. 552(b) may also apply. Thus, a portion of a meeting may be closed where the matter involves a trade secret; commercial or financial information that is privileged or confidential; personnel, medical, and similar files, disclosure of which could be an unwarranted invasion of personal privacy; and investigatory files compiled for law enforcement purposes. A portion of a meeting may also be closed if the Commissioner determines: (1) That it involves inter-agency or intra-agency memoranda or discussion and deliberations of matters that, if in writing would constitute such memoranda, and which would, therefore, be exempt from public disclosure; and (2) that it is essential to close such portion of a meeting to protect the free exchange of interval views and to avoid undue interference with agency or committee operations.

Examples of matters to be considered at closed portions are those related to the review, discussion, evaluation or ranking of grant applications; the review, discussion, and evaluation of specific drugs or devices; the deliberation and voting relative to the formation of specific regulatory recommendations (general discussion, however, will generally be done during the open committee discussion portion of the meeting); review of trade secrets or confidential data; consideration of matters involving FDA investigatory files; and review of medical records of individuals.

Examples of matters that ordinarily will be considered at open meetings are those related to the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices, consideration of labeling requirements for a class of marketed drugs and devices, review of data and information on specific investigational or marketed drugs and devices that have previously been made public, and presentation of any other data or

Committee name	Date, time, and place	Type of meeting and contact person
21. Anesthesiology Device Classification Panel.	Nov. 30, room 6S21, FB-8, 200 C St. SW., Washington, DC.	Open public hearing 8:30 a.m. to 9:30 a.m.; open committee discussion 9:30 a.m. to 4:30 p.m.; Franklyn K. Coombs, (HFK-450), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7226.

General function of the committee. Reviews and evaluates available data concerning the safety and efficacy of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to devices listed below to Franklyn K. Coombs, Executive Secretary. Submission of data relative to tentative classification findings is also invited.

Open committee discussion. The panel will review the supplemental data sheets prepared from draft forms at previous meetings. It will also review the supplemental data sheets forwarded by the subcommittee. The devices are as follows: Flow totalizer; gas pressure gauge; direct ultrasonic blood flowmeter; transcutaneous ultrasonic blood flowmeter; blood loss monitor; automatic nonultrasonic blood pressure monitor; manual nonultrasonic blood pressure monitor; ultrasonic blood pressure monitor; automatic ultrasonic blood pressure monitor; carbon dioxide with noninvasive electrode monitor; infusion rate monitor; oxygen monitor; oxygen with noninvasive electrode monitor; pH with invasive electrode monitor; pH with noninvasive electrode monitor; spinal fluid pressure monitor; spinal fluid pressure AC-powered monitor; invasive blood pressure transducer; invasive blood-flow transducer; noninvasive blood-flow transducer; line isolation monitor; floor conductivity tester; instrument conductivity tester; needle electrode; transcutaneous electrode; electrocardiographic monitor; electroencephalographic monitor; electromyographic monitor; eye-movement monitor; pulse-rate monitor; skin resistance monitor; temperature monitor; oxygen-uptake computer; invasive gas detector; noninvasive detector; airway pressure monitor; gas flow monitor; powered gas flow monitor; humidity

monitor; lung volume monitor; minute ventilation monitor; electrical impedance respiration monitor; electronic transducer respiratory frequency monitor; mechanical transducer respiratory frequency monitor; carbon dioxide respiratory monitor; oxygen analyzer w/o alarm respiratory monitor; pneumotachometer. A draft supplemental data sheet will be prepared for these devices.

Each public advisory committee meeting listed above may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1-hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this FEDERAL REGISTER notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally

information that is not exempt from public disclosure.

Dated: October 12, 1976.

A. M. SCHMIDT,
Commissioner of Food and Drugs.
[FR Doc.76-30403 Filed 10-14-76;8:45 am]

Office of the Assistant Secretary for Health
HEALTH INSURANCE BENEFITS
ADVISORY COUNCIL
Meeting

Notice is hereby given, pursuant to Pub.L. 92-463, that the Health Insurance Benefits Advisory Council (HIBAC), established pursuant to section 1867 of the Social Security Act, as amended, which advises the Secretary of Health, Education, and Welfare on Medicare and Medicaid matters will meet on Thursday, November 4 at 9:30 a.m. and Friday, November 5, 1976 at 9:30 a.m. in the Fifth Floor Conference Room (529A) of the Department of Health, Education, and Welfare's South Portal Building, 200 Independence Avenue, SW., Washington, D.C. Principal consideration and discussion will include general policy issues and options regarding cost-containment and program reform, including the PHS Forward Plan for Health: FY 1978-82. These meetings are open for public observation and participation.

Further information on the Council may be obtained by contacting Ronald M. Klar, M.D., M.P.H., Executive Secretary, Health Insurance Benefits Advisory Council, Room 17A-40, 5600 Fishers Lane, Rockville, Maryland 20852, telephone (301) 443-1185.

Dated: September 30, 1976.

RONALD M. KLAR,
Executive Secretary, Health Insurance Benefits Advisory Council.

[FR Doc.76-30198 Filed 10-15-76;8:45 am]

PRIVACY ACT OF 1974

Systems of Records and Notice of Proposed Routine Uses Therefor

Correction

In FR Doc. 76-29266 appearing at page 44063 in the issue for Wednesday, October 6, 1976, two paragraphs should have been italicized to indicate new material. On page 44064, the middle column, the fourth complete paragraph should have appeared as follows:

State audit agencies utilize this information for verifying proper expenditure of Federal funds by the State in support of the Disability Determination Service (DDS).

On page 44065, the third column, the paragraph designated cc. should have appeared as follows:

cc. State audit agencies for verifying proper expenditures of Federal funds by the State in support of the Disability Determination Service (DDS).

DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT

Office of the Secretary
[Docket No. D-76-463]

CERTAIN HUD EMPLOYEES IN REGION I
(BOSTON)

Redelegation of Authority To Administer
Oaths

Section A. Redelegation of Authority to administer oaths under Title VIII (Fair Housing) of the Civil Rights Act of 1968.

Each of the following incumbent employees and their successors in the Department of Housing and Urban Development, Region I Boston, is hereby authorized to administer oaths under section 811(a) of the Civil Rights Act of 1968 (42 U.S.C. 3611(a)):

1. Directors, Equal Opportunity Divisions, Area Offices
2. Equal Opportunity Specialists, Area Offices
3. Equal Opportunity Specialists, Insuring Offices.

(Redelegation of Authority by Regional Administrator, Region I, Boston, effective July 7, 1976 (41 FR 27861, July 7, 1976).)

Section B. *Supersedeure*. This redelegation of authority supercedes the redelegation published at 38 FR 20287, July 30, 1973.

Effective date: This redelegation of authority is effective on the date of publication in the FEDERAL REGISTER.

EDWARD T. POLLACK,
Assistant Regional Administrator
for Equal Opportunity,
Region I, Boston.

[FR Doc.76-30248 Filed 10-14-76;8:45 am]

[Docket No. D-76-462]

DIRECTOR, EQUAL OPPORTUNITY COMPLIANCE AND ENFORCEMENT; AND
SENIOR EQUAL OPPORTUNITY SPECIALISTS REGION I (BOSTON)

Redelegation of Authority With Respect to
Fair Housing

Section A. *Authority with respect to fair housing*. The Director of Equal Opportunity Compliance and Enforcement, Regional Office, and the Senior Equal Opportunity Specialists, Regional Office, in the Department of Housing and Urban Development, Region I (Boston), are hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development under Title VIII (Fair Housing) of the Civil Rights Act of 1968 (42 U.S.C. 3601-3619), except the authority to:

1. Make studies and publish reports under section 808(e) of the Act (42 U.S.C. 3608(d)).
2. Issue rules and regulations.
3. Issue a subpoena or an interrogatory under section 811 of the Act (42 U.S.C. 3611).

(Redelegation of Authority by Regional Administrator, Region I, Boston, effective July 7, 1976, 41 FR 27861, July 7, 1976.)

Effective date: This redelegation of authority is effective on publication in the FEDERAL REGISTER.

EDWARD T. POLLACK,
Assistant Regional Administrator
for Equal Opportunity,
Region I, Boston.

[FR Doc.76-30247 Filed 10-14-76;8:45 am]

DEPARTMENT OF
TRANSPORTATION

Federal Railroad Administration

MINORITY BUSINESS RESOURCE CENTER
ADVISORY COMMITTEE

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub.L. 92-463); (5 U.S.C. App. I) notice is hereby given of a meeting of the Minority Business Resource Center Advisory Committee to be held October 28, 1976, at 10:00 a.m. until 5:00 p.m. at the Department of Transportation, 400 7th Street SW., Room 10214, Washington, D.C. 20590. The agenda for this meeting is as follows:

- (a) Welcome and opening statement by Department of Transportation Officials
- (b) Selection of Chairman of Advisory Committee
- (c) Background Briefing by Executive Director of the Minority Business Resource Center
- (d) Reaction and input from the Advisory Committee

Attendance is open to the interested public but limited to the space available. With the approval of the Chairman, members of the public may present oral statements at the hearing. Persons wishing to attend and persons wishing to present oral statements should notify, not later than the day before the meeting, and information may be obtained from Mr. Kenneth E. Bolton, Executive Director, Minority Business Resource Center, Federal Railroad Administration, 400 7th Street SW., Washington, D.C. 20590, Telephone: 202-426-2852. Any member of the public may present a written statement to the Committee at any time.

Issued in Washington, D.C. on October 7, 1976.

KENNETH E. BOLTON,
Executive Secretary.

[FR Doc.76-30429 Filed 10-14-76;3:05 pm]

[Docket 27573 Agreement C.A.B. 26119 R-1 through R-4; Order 76-10-39]

CIVIL AERONAUTICS BOARD

INTERNATIONAL AIR TRANSPORT ASSO.

Order Relating to Commodity Rates

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers,

foreign air carriers, and other carriers embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement names additional specific commodity rates as set forth below, reflecting reductions from general cargo rates, and was adopted pursuant to unprotested notices to the carriers and promulgated in IATA letter dated September 13, 1976.

Agreement OAB	Specific commodity item No.	Description and rate
26119:		
R-1-----	1400	Floral and nursery stock. ¹ 161 ¢/kg, minimum weight 100 kg. From New York to Brussels.
R-2-----	3512	Handicrafts. ¹ 320 ¢/kg, minimum weight 100 kg. From Johannesburg to New York.
R-3-----	9993	Household goods and personal effects. ¹ 185 ¢/kg, minimum weight 500 kg. 185 ¢/kg, minimum weight 1,000 kg. From Kinshasa to New York.
R-4-----	9993	Household goods and personal effects. ¹ 220 ¢/kg, minimum weight 1,000 kg. From Johannesburg to New York.

¹ See applicable tariff for complete specific commodity description.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions hereinafter ordered.

Accordingly, *It Is Ordered That:*

Agreement C.A.B. 26119, R-1 through R-4, is approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publications; provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the *FEDERAL REGISTER*.

JAMES L. DEEGAN,
Chief, Passenger and Cargo
Rates Division, Bureau of
Economics.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.76-30286 Filed 10-14-76;8:45 am]

[Docket 28860; Order 76-10-48]

TRANS WORLD AIRLINES, INC.

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of September 1976.

By a tariff¹ marked to become effective on October 1, 1976, Trans World Airlines, Inc. (TWA), proposes to provide for the transportation of Department of Defense sponsored persons between New York, New York, on the one hand, and Madrid, Spain, and Rome and Milan, Italy, on the other, on scheduled flights at fares which are equivalent to the minimum Military Airlift Command (MAC) Category B round-trip charter rate. Designated "Category Y" by the carrier, the tariff closely resembles the Category Y tariffs of Pan American World Airways, Inc. (Pan Am), and Northwest Airlines, Inc. (Northwest), which are under investigation in the Category Y Fare Investigation, Docket 28096.

Pan Am and Northwest provide Category Y transportation over the North/Central Pacific and the North Atlantic on scheduled service as a substitute for Category B charter transportation previously contracted for pursuant to their annual MAC "fixed buy" awards. Although TWA had no previous contracts with MAC for Category B service, its justification indicates that a contract award was received for fiscal year 1977. However, no Category B charter flights will be operated, and all of the Category B passengers will be carried on scheduled flights as "Category Y" traffic. TWA argues that the "elimination" of Category B flights will save 1.5 million gallons of fuel, at a time when fuel conservation is in the national interest. The carrier's economic analysis of the profitability of Category Y service, which assumes that no additional capacity costs will be incurred, and that only incremental costs are assignable to this traffic, results in a forecast profit for fiscal year 1977 of \$1.8 million. Finally, TWA argues that Category Y service benefits the Department of Defense by providing increased scheduling flexibility and by allowing more efficient use of military personnel.

Member carriers of the National Air Carrier Association (NACA)² filed a complaint against the tariff requesting the Board to institute an investigation of the proposed tariff and to suspend the tariff pending such investigation. The complaint was not filed within the time limit established by the Board's regulations. Good cause has not been shown for the late filing, and accordingly, it

will be dismissed insofar as it requests suspension of the tariff.³

Upon consideration of all relevant factors, the matters contained in the tariff justification, and the character of the service involved, the Board has concluded that the proposed fares may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated. We further conclude that the fares should be suspended pending investigation.

In Order 75-7-104, dated July 22, 1975, we allowed the Category Y fares of Pan Am and Northwest to remain in effect pending investigation. However, TWA's Category Y proposal raises new issues relating to the economic reasonableness of transporting Category B passengers on scheduled service.⁴ It is apparent from TWA's justification that, unlike Pan Am or Northwest, TWA is not committed, and it does not intend, to move any of this traffic in charter operations. Indeed, the record in Docket 28096 indicates that TWA has no aircraft configured to operate as Category B military charters. It was implicit in the justifications of Pan Am and Northwest that their Category Y services would be true substitution for Category B. Since the Category Y fares are approximately 33 percent of the normal fare level, the carriers argued that the service should not be evaluated on a fully allocated cost basis, but that the Category Y traffic should be regarded as "fill-up." In peak travel periods or on flights which the carriers predicted would be oversold, the carriers would divert the Category Y passengers to charter flights. In this manner, inconvenience to normal traffic would be avoided, and revenues from this traffic would not be reduced. TWA, however, does not have this capability of diverting its Category Y passengers to charter operations. Since Category Y service is furnished on a confirmed reservation basis, there is a possibility that regular passengers would be displaced from TWA flights during peak travel periods.

There is also a problem regarding self-division of the Category A and Z traffic that TWA currently carries over these routes. The rates for these services are approximately twice the Category Y fare per mile. Since Category A and Z service is similar to Category Y, there is a possibility that the Category A and Z traffic would move on exactly the same flights, but at the Category Y rate, resulting in a 45% reduction in revenues to TWA.

³The Department of Defense has filed a late answer to NACA's complaint, requesting that the complaint be dismissed. Since the answer was also untimely, we have decided to dismiss it. Furthermore, DOD has raised no arguments that have not already been considered.

¹ Local Military Passenger Fares Tariff No. MAC-1, C.A.B. No. 308.

² By power of attorney duly executed by Overseas National Airways, Inc., Saturn Airways, Inc., Trans International Airlines, Inc., and World Airways, Inc.

The tariff justification takes no account of this serious potential for diversion.⁵

In view of the substantial questions raised as to the adverse impact of TWA's Category Y services upon the general traveling public, we have determined that its tariff should be suspended pending investigation. We are aware that the Department of Defense requires a substantial amount of lead-in time to procure civilian airlift, and we have been informed that Category Y service on TWA flights has already been arranged for the months of October and November. In order to avoid any disruption of the movement of military personnel, we have decided to postpone the beginning of the suspension period until December 1, 1976.

We have decided not to consolidate the investigation of TWA's Category Y proposal into the Category Y Fare Investigation. The significant differences between TWA's fare and the fares under investigation in that proceeding raise new factual issues which may not have been explored in the investigation. Inclusion of this proposed fare in the investigation could cause further delay, and in the interests of regulatory efficiency we have decided not to erect a procedural obstacle in the path of a timely resolution of that case.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That:

1. Except to the extent granted herein, the complaint of the member carriers of the National Air Carrier Association in Docket 29787 be and it hereby is dismissed;

2. The motion of The Department of Defense filed herein be and it hereby is denied;

3. An investigation be instituted to determine whether the fares and provisions in Tariff C.A.B. No. 308, issued by Trans World Airlines, Inc., including revisions and reissues thereof, and rules, regulations, and practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to determine and prescribe what action may be taken to cancel such tariffs, and to prevent the use of such

⁵ Since TWA's Category Y fares apply to different markets than those of Pan Am and Northwest, its filing cannot be justified on the basis of meeting competition.

⁶ While the potential for diversion also exists in the case of the Pan Am and Northwest tariffs, the TWA proposal raises this issue more acutely. Thus, the justification accompanying the Pan Am and Northwest Category Y tariffs indicated exactly how many of their preexisting Category B missions would be converted to Category Y service. TWA, on the other hand, does not have a prior commitment for Category B operations. Its tariff justification does not provide any derivation of the 7,920 round-trip passengers to be carried in Category Y, and it does not indicate how many, if any, of the passengers would constitute new traffic.

fares, rates, or charges, or such classifications, rules, regulations, or practices;

4. Pending hearing and decision by the Board, Tariff C.A.B. No. 308, filed by Trans World Airlines, Inc., is suspended and its use deferred from December 1, 1976, to and including November 30, 1977, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

5. This order shall be submitted to the President⁶ and shall become effective on October 11, 1976;

6. The investigation ordered herein be assigned for hearing before an administrative law judge of the Board at a time and place hereafter to be designated; and

7. Copies of this order be filed in the aforesaid tariffs and be served upon Trans World Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.⁷

PHYLLIS KAYLOR,
Secretary.

Minetti and West, Members, FILED
CONCURRENCE,

[FR Doc.76-30287 Filed 10-14-76;8:45 am]

CIVIL SERVICE COMMISSION

DEPARTMENT OF DEFENSE

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Principal Deputy Director Telecommunications and Command and Control Systems, Office of the Director, Telecommunications and Command and Control Systems, Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.76-30102 Filed 10-14-76;8:45 am]

DEPARTMENT OF DEFENSE

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Principal Deputy Assistant Secretary of Defense (Comptroller), Immediate Office, OASD

⁶ This order was submitted to the President on October 1, 1976.

⁷ The concurring opinion of members Minetti and West is filed as a part of the original document.

(Comptroller), Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.76-30101 Filed 10-14-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Title Change in Noncareer Executive Assignment

By notice of May 13, 1972, FR Doc. 72-7310, the Civil Service Commission authorized the Department of Housing and Urban Development to fill by noncareer executive assignment the position of Assistant to the Secretary for Programs for the Elderly and the Handicapped, Office of the Secretary. This is notice that the title of this position is now being changed to Departmental Advisor and Director, Elderly and Handicapped Policy Staff, Office of the Assistant Secretary for Consumer Affairs and Regulatory Functions.

UNITED STATES CIVIL SERVICE COMMISSION.

JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.76-30100 Filed 10-14-76;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1976

Proposed Deletion

Notice is hereby given pursuant to section 2(a) (2) of Pub. L. 92-82; 85 Stat. 77 of the proposed deletion of the following service from Procurement List 1976, November 25, 1975 (40 FR 54742).

SIC 7349

JANITORIAL/CUSTODIAL
Homestead Air Force Base, Florida
Dental Clinic (Building 686)
Hospital (Building 690)

Comments and views regarding the proposed deletion may be filed with the Committee on or before November 15, 1976. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

This notice is automatically cancelled six months from the date of this FEDERAL REGISTER.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-30254 Filed 10-14-76;8:45 am]

PROCUREMENT LIST 1976**Additions to Procurement List**

Notice of proposed additions to Procurement List 1976, November 25, 1975 (40 FR 54742) of the commodities listed below were published in the FEDERAL REGISTER on July 23, 1976 (41 FR 30380) and July 16, 1976 (41 FR 29473).

After consideration of all the relevant data presented, the Committee has determined that the commodities listed below are suitable for procurement by the Government under Pub. L. 92-28, 85 Stat. 77. Accordingly, they are hereby added to the Procurement List.

Class 7510

Blinder, Award Certificate, 7510-00-115-3250 (for 60% of Government's requirements), 7510-00-482-2994

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-30255 Filed 10-14-76; 8:45 am]

PROCUREMENT LIST 1976**Proposed Additions**

Notice is hereby given pursuant to section 2(a) (2) of Pub. L. 92-28; 85 Stat. 77, of the proposed addition of the following commodity and service to Procurement List 1976, November 25, 1975 (40 FR 54742).

Seedling Harvesting
USDA Forest Service
Humboldt Nursery
McKinleyville, California

Class 7520

Barrel, Ball Point, Pen 7520-00-782-6269

If the Committee approves the proposed additions, all entities of the Government will be required to procure the above service and commodity from workshops for the blind or other severely handicapped.

Comments and views regarding the proposed additions may be filed with the Committee on or before November 15, 1976. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

This notice is automatically cancelled six months from the date of this Federal Register.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-30256 Filed 10-14-76; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL630-6; OPP-42023A]

MARYLAND

Approval of State Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticides

Section 4(a) (2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136), and the implementing regu-

lations of 40 CFR Part 171 require each State desiring to certify applicators to submit a plan for its certification programs. Any State certification program under this section shall be maintained in accordance with the State Plan approved under this section.

On July 20, 1976, notice was published in the FEDERAL REGISTER of the intent of the Regional Administrator, EPA Region III, to approve, on a contingency basis, the Maryland State Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticides (Maryland State Plan). Contingency approval was requested by the State of Maryland pending promulgation of regulations pursuant to the "Maryland Pesticide Applicators Law". Complete copies of the Maryland State plan were made available for public inspection at the Agency's Region III office in Philadelphia, Pennsylvania, at the Maryland Department of Agriculture, Annapolis, Maryland, and at the Agency's Technical Services Division, Federal Register Section, Office of Pesticide Programs, EPA Headquarters, Washington, D.C.

There were no comments received concerning the State Plan during the 30 day comment period.

The Maryland State Plan will remain available for public inspection at the Parole Plaza Office Building, Annapolis, Maryland.

It has been determined that the Maryland State Plan will satisfy the requirements of section 4(a) (2) of the amended FIFRA and of 40 CFR Part 171 if proposed regulations implementing the Maryland Pesticide Applicators Law are promulgated by the Maryland Depart-

ment of Agriculture. Accordingly, the Maryland State Plan is approved contingent upon promulgation of implementing regulations in accordance with and as prescribed in the Maryland State Plan.

This contingency approval shall expire one (1) year from its effective date, if these terms and conditions are not satisfied by that time. On or before the expiration of the period of contingency approval, a notice shall be published in the FEDERAL REGISTER concerning the extent to which these terms and conditions have been satisfied, and the approval status of the Maryland State Plan as a result thereof.

Effective date: Pursuant to Section 4(d) of the Administrative Procedures Act, 5 U.S.C. 553(d), the Agency finds that there is good cause for providing that the one year contingency approval granted herein to the Maryland State Plan shall be effective immediately. Neither the Maryland State Plan itself nor this Agency's contingency approval of the Plan create any direct or immediate obligations on pesticide applicators or other persons in the State of Maryland. Delays in starting the work necessary to implement the Plan, such as may be occasioned by providing some later effective date for this contingency approval, are inconsistent with the public interest. Accordingly, this contingent approval shall become effective immediately.

Date: September 15, 1976.

DANIEL J. SNYDER, III,
Regional Administrator,
Region III.

[FR Doc.76-30319 Filed 10-14-76; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

Office of the Secretary

[Report No. 1008]

RULE MAKING PROCEEDINGS FILED

Petitions for Reconsideration of Actions

OCTOBER 12, 1976.

Docket or RM No.	Rule No.	Subject	Date received
20316	Sec. 73.202(b)...	Amendment of sec. 73.202(b), Table of Assignments, FM Broadcast Stations (Forest Lake, Brainerd, and Morris, Minnesota). Filed by Samuel Miller and Mark E. Fields, attorneys for Brainerd Broadcasting Co. (KLIZ-FM).	Sept. 29, 1976
20683	Pt. 83.....	Amendment of pt. 83 of the rules to relax the channel 16 (150.8 MHz) listening watch requirements for certain tug boats. Filed by John L. Bartlett, attorney for the American Waterway Operators, Inc.	Sept. 1, 1976

NOTE.—Oppositions to petition for reconsideration must be filed on or before Nov. 1, 1976. Replies to an opposition must be filed within 10 days after time for filing oppositions has expired.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.76-30279 Filed 10-14-76; 8:45 am]

[Report No. I-278]

COMMON CARRIER SERVICES INFORMATION

International and Satellite Radio Applications Accepted for Filing

OCTOBER 12, 1976.

The applications listed herein have been found, upon initial review, to be

acceptable for filing. The Commission reserves the right to return any of these applications if, upon further examination, it is determined they are defective and not in conformance with the Commission's Rules, Regulations or its Policies. Final action will not be taken on any of these applications earlier than 31

days following the date of this notice.
§ 309(d) (1).

FEDERAL COMMUNICATIONS
COMMISSION,
VINCENT J. MULLINS,
Secretary.

SATELLITE COMMUNICATIONS SERVICES

- 1-DSE-P-77 Racine Telecable Corp., Racine, Wisconsin. For authority to construct, own and operate a domestic communications satellite Receive-Only earth station at this location. Lat. 42°40'07" Long. 87°49'52". Rec. freq: 3700-4200 MHz. Emission 36000F9. With a 10 meter antenna.
- 2-DSE-MI-76 Micro-Cable Communications Corp. d/b/a Columbia Television Co. (KB78) Kennewick, Washington. Modification of license for authority to permit Teleprompter, an unaffiliated company, to use signals received at the earth station, and that general provision 6(d), which prohibits service to non-affiliated cable systems, be deleted or modified to permit Teleprompter to receive earth station service.
- 3-DSE-MI-76 First Television Corp. (KB83) Maple Lake, Minnesota. Modification of license for authority to receive signals of Station WTCG-TV, Atlanta, Georgia.
- 5-DSE-P/L-76 Newton Cable TV, Inc., Newton, Kansas. For authority to construct, own and operate a domestic communications satellite Receive-Only earth station at this location. Lat. 38°04'16" Long. 97°22'06". Rec. freq: 3700-4200 GHz. Emission 36000F9. With a 10 meter antenna.
- 6-DSE-P-76 Television Cable Service, Inc., d/b/a Tyler Cable Television, Tyler, Texas. For authority to construct, own and operate a domestic communications satellite Receive-Only earth station at this location. Lat. 32°21'12" Long. 95°19'11". Rec. freq: 3700-4200 GHz. Emission 34000F9. With a 10 meter antenna.
- 261-CSG-P-77 Communications Satellite Corp., Gaithersburg, Maryland. Application for construction permit in order to conduct a developmental program which would investigate the feasibility of very highspeed communications via satellite between widely separated data processing systems, using small aperture antennas. The program would employ the Symphonie Satellite. Other participants in the proposed program are IBM Systems Communications Division, and the French Postal Telephone and Telegraph Authority. Lat. 39°09'11" Long. 77°12'59". Trans. freqs: 5970.0-6090.0 and 6260.0-6880.0 GHz, Emission 6000F9 (1.544 Mbaud QPSK) (rate 1/2 Coding). With a 15 foot antenna.
- 23-CSS-P-(2)-76 Comsat General Corp. Application for authority to participate in the establishment, construction and operation of an aeronautical satellite system. Two satellites to be placed into orbit over the Atlantic are proposed with operations within the 131.425-131.975, 1542.5-1578.5, 1622.5-1660.0 and 5000-5250 MHz bands. T T & C operations proposed in the 136-138 and 148-150 MHz or 4 and 6 GHz bands.

[FR Doc.76-30267 Filed 10-14-76;8:45 am]

[FCC 76-935]

CABLE TELEVISION

Statement of Commission Policy on Channel Identification

OCTOBER 8, 1976.

The Commission has completed its review of the comments submitted in response to the Notice of Proposed Rule-

making and the Further Notice of Proposed Rulemaking in Docket 19334, FCC 71-1084, FCC 2d (1971) and FCC 74-667, 47 FCC 2d 670 (1974), respectively, wherein comment was elicited on the advisability of prescribing a method of identifying cablecast channels and programming and of prohibiting the use of call letters for this purpose. By separate action taken today, the Commission has concluded that the record in this proceeding fails to demonstrate that pervasive or significant problems have arisen either from the failure to identify cablecast channels or programming or from identifying them in any particular way. The Commission accordingly declined to adopt a rule of general applicability and terminated the proceeding.

The disposition of the rulemaking proceeding should not be taken to signify that the Commission is no longer concerned that in some situations cablecast programming might be confused with broadcast programming. The Commission is aware that the possibility of confusion still exists, and we expect cable television system operators to avoid using any inherently confusing method of channel identification. Additionally, cablecast programming should be identified where such identification is necessary to avoid viewer confusion.

The Commission believes that the use of call letter-type identifiers similar to those used by local broadcasters is especially prone to confuse viewers. For this reason the Commission would strongly advise against the use of such call letters to identify cablecast channels. Similarly, where broadcast programming and cablecast programming that closely resembles it are presented together on one channel, we believe it advisable to distinguish between the two types of programming.

In general, the Commission expects system operators to adopt whatever measures are appropriate to assure that confusion between broadcast and cablecast programming does not occur, and to act promptly to remedy such problems if they do occur. Indications that system operators are deliberately employing methods of channel identification shown to be confusing to viewers or that operators are persisting in failing to identify cablecast programming in a manner that distinguishes it from broadcast programming will require that the Commission reconsider its decision not to adopt rules in this area. Any specific problems of viewer confusion should be promptly brought to the Commission's attention.

Action by the Commission October 7, 1976.¹

¹ Commissioners Wiley (Chairman), Lee, Hooks, Quello, Washburn, and Fogarty with Commissioner White not participating.

FEDERAL COMMUNICATIONS
COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.76-30278 Filed 10-14-76;8:45 am]

[Report No. 827]

COMMON CARRIER SERVICES INFORMATION

Applications Accepted for Filing

OCTOBER 12, 1976.

The applications listed herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any of these applications, if upon further examination, it is determined they are defective and not in conformance with the Commission's Rules and Regulations or its policies.

Final action will not be taken on any of these applications earlier than 31 days following the date of this notice, except for radio applications not requiring a 30 day notice period (see § 309(c) of the Communications Act), applications filed under Part 68, or as otherwise noted. Unless specified to the contrary, comments or petitions may be filed concerning radio and section 214 applications within 30 days of the date of this notice and within 20 days for Part 68 applications.

In order for an application filed under Part 21 of the Commission's Rules (Domestic Public Radio Services) to be considered mutually exclusive with any other such application appearing herein, it must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which the subsequent application is in conflict) as having been accepted for filing. In common carrier radio services other than those listed under Part 21, the cut-off date for filing a mutually exclusive application is the close of business one business day preceding the day on which the previously filed application is designated for hearing. With limited exceptions, an application which is subsequently amended by a major change will be considered as a newly filed application for purposes of the cut-off rule. [See § 1.227(b) (3) and 21.30(b) of the Commission's Rules.]

FEDERAL COMMUNICATIONS
COMMISSION,
VINCENT J. MULLINS,
Secretary.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

22907-CD-P-(2)-76, Valley Rural Telephone Co-op (New). C.P. for a new station to operate on 152.69 & 152.72 MHz. to be located Eleven (11) miles north-northeast of Glasgow, Near Rose Hill Trailer Court, Montana.

22303-CD-TC-(2)-76, Anserfene of St. Lucie County, Inc. Consent to Transfer of Control from Edna S. Higgs, TRANSFEROR to Michael S. McCarty & Edna S. Higgs, TRANSFEREES. Stations: KIG838 & KUC 847, Fort Pierce, Florida.

22309-CD-P-76, Radio Relay Corp.—Missouri (KAA893). C.P. to relocate facilities operating on 35.22 MHz at Loc. No. 1: 1 Mercantile Center, St. Louis, Missouri.

22910-CD-P-76, Airtel signal of Nevada, Inc. (KWT989). C.P. for additional Control facilities to operate on 454.350 MHz at new site described as Loc. No. 4: 1111 Las Vegas Blvd., Las Vegas, Nevada.

22911-CD-P-76, Radio Contact Corp. (KRH 648). C.P. for additional facilities to operate on 454.200 MHz at new site described as Loc. No. 2: Lookout Mountain, Golden, Colorado.

22912-CD-TC-(2)-76, Eastern Oregon Telephone Co. Consent to Transfer of Control from Walter A. Karnopp & Ann Margaret Karnopp, TRANSFERORS to Telephone Utilities, Inc., TRANSFEREE. Station: KFL 944, Pilot Rock, Oregon & KRH637, Boardman, Oregon.

22913-CD-AL-(2)-76, Chalfont Communications Consent to Assignment of License from Chalfont Communications, ASSIGNOR to Hendrix Electronics, Inc. d/b/a Cal-Comm Radio Telephone Service, ASSIGNEE. Stations: KMA251 & KLF520, El Centro, California.

20001-CD-R-77, Baxley Radio-Telephone, Inc. (KLF581). Renewal of License expiring November 7, 1976. TERM: November 7, 1976 to April 1, 1979.

20002-CD-MP-77, Message Center, Inc. (KWU281). C.P. for additional Control facilities to operate on 454.325 MHz at Loc. No. 2: Mt. Mansfield near Underhill, Vermont.

20003-CD-ML-77, Inland Telephone Company (KUC955). Mod of license to change frequency from 152.75 MHz to 152.81 MHz located On Bald Butte, 2 miles East of Johnson, Washington.

20004-CD-MP-(2)-77, Mobilfone of Leoti, Inc. (KWT933). C.P. for additional Repeater facilities to operate on 459.125 MHz at existing Loc. No. 1: Electric Co-op radio tower, south of State Highway 96, Scott City; and for Control facilities operating on 454.125 MHz at new site described as Loc. No. 2: 1.5 miles east of intersection of Highway 25 & 96, Leoti, Kansas.

20005-CD-P-77, Answer Iowa, Inc. (KWU 201). C.P. for additional facilities operating on 152.18 MHz located on 5th Avenue West at 12th Street, Duluth, Minnesota.

20006-CD-P-(2)-77, Intrastate Radio Telephone, Inc. of San Francisco (KMA833). C.P. for additional facilities to operate on 454.125 & 454.175 MHz at a new site described as Loc. No. 7: Sunol Ridge, 4.3 miles NE of Niles, California.

20007-CD-P-(8)-77, Cal-Autofone (KMA252). C.P. to relocate facilities operating on 152.03 MHz, Base, 75.98, 75.42, 75.48, 75.52, 454.050 & 454.350 MHz, Control; additional Test facilities operating on 158.64 MHz; and change frequency from 72.74 MHz to 75.48 MHz, Control and from 74.26 MHz to 75.52 MHz, Control at Loc. No. 1: 1615 Highland Avenue, Eureka, California.

20008-CD-P-77, Bobler Electronics, Inc. (KWU250). C.P. to change antenna system and replace transmitter operating on 158.70 MHz located at Summit Ridge, 3.5 miles NE of Parkersburg, West Virginia.

20009-CD-P-77, Bobler Electronics, Inc. (KWU233). C.P. to change antenna system and replace transmitter operating on 152.06 MHz located at Summit Ridge, 3.5 miles NE of Parkersburg, West Virginia.

20010-CD-P-77, Nell E. Stone d/b/a Stone's Mobile Radio and Dial-A-page (New) C.P. for a new 1-way station to operate on 152.24 MHz located at 511 Atlantic Avenue North, Thief River Falls, Minnesota.

Correction

22833-CD-P-76, CFR Corporation dba Mobilfone of Baton Rouge. Correct Call Sign to read (new). All other particulars to remain as reported on PN No. 825 dated September 27, 1976.

RURAL RADIO

60001-CR-P/L-77, Continental Telephone Company of California (New). C.P. for a new Rural Subscriber station to operate on 157.89 & 158.01 MHz to be located 7 miles east of Mojave Road on Peterson Road, near Poston, Arizona.

60002-CR-P-77, Pacific Northwest Bell Telephone Company (New). C.P. for a new Rural Subscriber station to operate on 157.86 MHz to be located 2.5 miles North of Granite, Oregon.

60003-CR-P-77, Pacific Northwest Bell Telephone Company (New). C.P. for a new Rural Subscriber station to operate on 157.89 MHz to be located 9 miles East of Astoria, Miller Sands Island, Oregon.

POINT TO POINT MICROWAVE RADIO SERVICES

3799-CF-ML-76, American Telephone and Telegraph Company (KKX58). 2 miles NNE of Rincon, New Mexico. C.P. to correct coordinates Lat. 32 41 44N.-Long. 107 03 51 W.

3401-CF-ML-76, Same (KYN79). 8.9 miles East of Newell, South Dakota. C.P. to change coordinates from Lat. 44 42 16 N.-Long. 103 13 33 W. to Lat. 44 42 47 N.-Long. 103 14 13 W. and change path distance and azimuth to Castle Rock and Hereford; these are record change only, no change in actual location.

3400-CF-ML-76, Same (KAA95). 3 miles W of Eartham, Indiana. C.P. to change coordinates from Lat. 41 29 50 N.-Long. 94 10 18 W. to Lat. 41 29 50 N.-Long. 94 10 06 W. change path distance and azimuth to Des Moines. These are record change only, change in actual location.

3917-CF-ML-76, New York Telephone Company (WJM70). 94 South Street, Troy, New York. Mod of License to change license from Development to regular service.

3916-CF-ML-76, Same (WJM69). 158 State Street, Albany, New York. Mod of License to change license from Development to regular service.

4079-CF-ML-76, American Telephone and Telegraph Company (KMC63). Cisco Butte 6 miles ENE of Emigrant, Georgia. Mod of License to change coordinates from Lat. 39 18 22 N.-Long. 120 33 45 W. to Lat. 39 18 25 N.-Long. 120 33 44 W.

4160-CF-ML-76, Same (KSH88). 122 W. Main Street, Madison, Wisconsin. Mod of license to correct polarization from horizontal to vertical on frequency 4070 toward Madison Jct., Wisconsin.

4173-CF-ML-76, Pacific Northwest Bell Telephone Company (KOJ87). 1.6 miles SE of Blyn, Washington. Mod of license to correct polarization from vertical to horizontal on frequencies 3730 and 3810 toward Angeles Point, Washington.

4190-CF-ML-76, American Telephone and Telegraph Company (KAA95). 3.0 miles West of Eartham, Indiana. Mod of license to correct frequency 4198H transmitting to Des Moines, Indiana to read 4198V record change only.

4191-CF-ML-76, Same (KAA70) ADJ. T/Lot W. of 909 High Street, Des Moines, Indiana. Mod of license to correct polarization from horizontal to vertical on frequency 4190 MHz toward Eartham, Indiana.

4156-CF-ML-76, Same (KAJ66) BLK Forest 7.5 miles SW. of Eastonville, Colorado. Mod of license to correct polarization from horizontal and vertical on frequencies 3710, 3790, 3950 MHz toward Colorado Springs, Colorado.

8174-CF-P-76, United States Transmission Systems, Inc. (WAH 499). 2.5 miles NW. of Delta, Pennsylvania. (Lat. 39°44'40" N., Long. 76°81'32" W.): Construction permit to add 6286.2H MHz toward Oxford, Pennsylvania and Jacksonville, Maryland on azimuths 79.1 and 214.1 degrees respectively.

8213-CF-P-76, Tower Communication Systems Corporation (KQA 36). Ball Knob, 0.0 miles SW. of Chillicothe, Ohio. (Lat. 39° 13'15" N., Long. 83°04'40" W.): Construction permit to add 11385.0H MHz toward S. Portsmouth, Kentucky on azimuth 172.9°.

8214-CF-P-76, Tower Communications Systems Corporation (KQA 33). 1.25 miles South of S. Portsmouth, Kentucky. (Lat. 38°42'59" N., Long. 82°50'54" W.): Construction permit to add 11055.0H MHz toward Ironton, Ohio on azimuth 123.9°.

8215-CF-P-76, Tower Communication Systems Corporation (WQR 58). 0.9 mile North of Ironton, Ohio. (Lat. 38°32'51" N., Long. 82°40'48" W.): Construction permit to add 11225.0V MHz toward Huntington, West Virginia on azimuth 136.5 degrees.

8240-CF-P-76, Eastern Microwave, Inc. (WQR 73). 2850 Berthoud St., Pittsburgh, Pennsylvania. (Lat. 40°28'46" N., Long. 79°57' 51" W.): Construction permit to change frequency to 11545.0H MHz toward Bethel Park (WQR 74) and Etna No. 1, both in Pennsylvania, on azimuths 203.6° and 18.6° respectively.

3692-CF-ML-76, South Central Bell Telephone Company (KIB85). Trickle 6.5 miles WNW. of Ranburne, Alabama. Mod of license to correct coordinates Lat. 33°33'22" N., Long. 85°27'39" W. to Lat. 33°33'18" N., Long. 85°27'25" W.

8206-CF-P/ML-76, Volcano Telephone Company (WJM25). Rt. 88 and Volcan Rd. Pine Grove, California. Lat. 38°24'46" N., Long. 120°39'20" W. C.P. Mod of license to reinstate expired license on frequency 2128H MHz toward Leek Spring, California on azimuth 54°.

8207-CF-P/ML-76, Same (WJM25) Leek Spring, 25.7 miles NE. of Pine Grove, California. Lat. 38°37'43" N., Long. 120°10'34" W. C.P. and Mod of license on frequencies 2170H MHz toward Schneider RF, California, on azimuth 58.0° and 2178H MHz toward Pine Grove, California on azimuth 234.2°.

8208-CF-P-76, Same (WJW87) Kirkwood 48M. East on Hwy 88 Pine Grove, California. Lat. 38°41'30" N., Long. 120°04'14" W. C.P. and Mod of license to reinstate expired license on frequency 2120H MHz toward Schneider is RF, California on azimuth 357.6°.

8235-CF-P-76, American Telephone and Telegraph Company (WHB40). 231 West 4th Street, Pueblo, Colorado. Lat. 38°16'15" N., Long. 104°36'31" W. C.P. to add frequency 3970.0H MHz toward Cedarwood, Colorado.

Amendments

378-CF-P-76, All American Cables and Radio, Inc. (WMZ34). Cerro Marguesa, Puerto Rico. Lat. 18°16'51" N., Long. 66°08'38" W. Public Notice August 25, 1976 Amended by changing the frequency toward Cerro Las Pinas, Puerto Rico from 10715.0H MHz to 11115.0H and changing the azimuth toward San Juan, Puerto Rico from 90°28' to 11°55'.

379-CF-P-76, Same (WWZ36). Cerro Las Pinas, Puerto Rico. Lat. 18°09'18" N., Long. 66°04'51" W. Public Notice August 25, 1976 Amended by changing the frequency toward Cerro Marguesa, Puerto Rico from 11645.0H MHz to 11665.0H MHz and changing the azimuth toward Monte Llano, Puerto Rico from 298°41' to 246°41'.

380-CF-P-76, Same (WWZ33). San Juan, Puerto Rico. Lat. 18°27'25" N., Long. 66°04'52" W. Public Notice August 25, 1976 Amended by changing azimuth to Cerro Marguesa, Puerto Rico from 189°28' to 83°03'.

Corrections

4951-CF-P-76, Eastern Microwave, Inc. (WAU 205). Manchester, 3.7 miles WSW. of Pinradsville, New Hampshire. This entry ap-

pearing in Public Notice dated September 7, 1976 is corrected to show file number as listed above. All other particulars remain the same.

8174-CF-P-76, United States Transmission Systems, Inc. (WAM 500). Jarrestville, AKE South, Jacksonville, Maryland. This entry appearing in Public Notice dated October 4, 1976 is corrected to show file number as 8175-CF-P-76. All other particulars remain the same.

LOCAL TELEVISION TRANSMISSION RADIO SERVICE

8244-CF-P/L-76, Southwestern Bell Telephone Company (New) Temporary fixed locations within territory of Grantee. Construction permit and license for new station—3700–4200 MHz frequency band.

MULTIPOINT DISTRIBUTION RADIO SERVICE

8149-CM-P-76, Microband Corporation of America (WJL 36). Black Mtn., Monte Bello Rd., Palo Alto, California. (Lat. 37° 19' 13" N., Long. 122° 08' 33" W.): Construction permit to (a) change transmit station name and location, (b) change antenna system and polarization on existing frequency path and (c) add hot standby transmitter—2154.75V and 2150.25V MHz. Primary service area: Palo Alto/San Jose, California and vicinity.

8151-CM-P-76, Microband/ITC West Coast, Inc. (KFF 81). Vollmer Peak, Grizzly Peak Blvd., Orinda, California. (Lat. 37° 52' 58" N., Long. 122° 13' 11" W.): Construction permit to (a) change transmit station name and location, (b) change antenna system and polarization on existing frequency path and (c) add hot standby transmitter—2154.75H and 2150.25H MHz. Primary service area: San Francisco and Oakland, California and vicinity.

8181-CM-P-76, Hydra Communications (New). Mt. Diablo, Summit Rd., Clayton, California. (Lat. 37° 52' 54" N., Long. 121° 55' 05" W.): Construction permit for new station—2154.75H and 2150.25H MHz (Horizontal Lobe) and 2154.75V and 2150.25V MHz (Vertical Lobe). Primary service area: Contra Costa County, California, California.

8220-CM-P-76, Mid-South Communications, Inc. (New). Rte 2, Hardyville, Kentucky (Lat. 37° 14' 40" N., Long. 85° 46' 42" W.): Construction permit for new station—2154.75V and 2150.25V MHz. Primary Service area: Hardyville, Kentucky.

8254-CM-P-76, Mid-South Communications, Inc. (New). Hwy 77, Dozier, Alabama. (Lat. 37° 14' 40" N., Long. 85° 46' 42" W.): Construction permit for new station—2154.75V and 2150.25V MHz. Primary Service area: Dozier, Alabama.

8255-CM-P-76, Mid-South Communications, Inc. (New). Rte 1, Mt. Vernon, Kentucky (Lat. 37° 14' 43" N., Long. 84° 17' 20" W.): Construction permit for new station—2154.75V and 2150.25V MHz. Primary Service area: Mt. Vernon, Kentucky.

8256-CM-P-76, Mid-South Communications, Inc. (New). Rte 2, Gresham, South Carolina. (Lat. 33° 56' 02" N., Long. 79° 25' 49" W.): Construction permit for new station—2154.75V and 2150.25V MHz. Primary Service area: Gresham, South Carolina.

8257-CM-P-76, Mid-South Communications, Inc. (New). Rte 2, Milton, Pennsylvania. (Lat. 41° 02' 09" N., Long. 76° 49' 34" W.): Construction permit for new station—2154.75V and 2150.25V MHz. Primary Service Area: Milton, Pennsylvania.

POINT TO POINT MICROWAVE RADIO SERVICE

Informative

The Commission has received a request from Canada for coordination of an earth station at Notre Dame, Quebec (Lat. 46 09 09 N.—Long. 74 01 45 W.) which will operate

to the Intel sat IV, IV A, and V satellites carrying telephone, video, and digital signals. Transmission will begin approximately in late 1978 or early 1979 with the following parameters:

Frequency bands: 5925 to 6425 MHz; 3700 to 4200 MHz.

Maximum power into antenna: +13dBW/4kHz.

Antenna characteristics

Type: Cass egrain.

Size: 95 ft.

Gain: 6 GHz–62.8dB, 4 GHz–53.7dB.

Beamwidth (3dB): 0.17°.

AGL: 60°.

Site elevation: 1400'.

Orbital locations: Nominal 34.5°W, 29.5°W, 24.5°W and 19.5°W.

Orbital arc: Coordinating range 18°W, 35°W.

Accordingly, should any terrestrial carriers feel that their facilities would receive any harmful interference contact the Commission's Common Carrier Bureau; Attention: Mr. Charles Gratch, Area Code 202—Extension 632–6920.

[FR Doc.76–30281 Filed 10–14–76;8:45 am]

NATIONAL INDUSTRY ADVISORY COMMITTEE; WORKING GROUP V BROADCAST SERVICES SUBCOMMITTEE

Meeting

Pursuant to the provisions of Pub. L. 92–463, announcement is made of a public meeting of Working Group V, Broadcast Services Subcommittee of the National Industry Advisory Committee to be held Thursday, November 4, 1976. The Working Group will meet at the Federal Communications Commission Annex Building, 1229 20th Street, NW., Training Room (A–110), at 10:00 a.m.

Purpose. To redesign NIAC Order 2 which is used in conjunction with the Emergency Broadcast System (EBS) and to consider additional refinements to the EBS.

AGENDA

1. Chairman's Opening Remarks.
2. Revision of NIAC Order 2 to provide for feed of ABC, CBS and NBC affiliates on the West Coast through the use of NPR interconnecting facilities during Closed Circuit Tests or actual activation of the Emergency Broadcast System.
3. Discussion on the possible entry of additional communications common carriers into the Emergency Broadcast System.
4. Discussion of the feasibility of seeking entry of radio station WWV into the Emergency Broadcast System.
5. New Business.
6. Closing comments and adjournment.

Any member of the general public may attend or file a written statement with the Working Group either before or after the meeting. Any member of the public wishing to make an oral statement must consult with the Executive Secretary, National Industry Advisory Committee prior to the date of the meeting. Those desiring more specific information about the meeting may telephone the Emergency Communications Division, FCC, (202) 632–7232.

FEDERAL COMMUNICATIONS
COMMISSION,

VINCENT J. MULLINS,

Secretary.

[FR Doc.76–30277 Filed 10–14–76;8:45 am]

FEDERAL POWER COMMISSION

NATIONAL GAS SURVEY EXECUTIVE ADVISORY COMMITTEE, COORDINATING COMMITTEE AND CERTAIN ADVISORY COMMITTEES AND TASK FORCES

Renewal Determination and Certification

The Chairman of the Federal Power Commission has determined that renewal of the terms of the National Gas Survey's Executive Advisory Committee, Coordinating Committee, Supply—Technical Advisory Task Force—Nonconventional Natural Gas Resources, Supply—Technical Advisory Task Force—Synthesized Gaseous Hydrocarbon Fuels, Supply—Technical Advisory Task Force—Regulatory Aspects of Substitute Gas, Transmission, Distribution and Storage—Technical Advisory Task Force—Rate Design, Transmission, Distribution and Storage—Technical Advisory Task Force—Impact of Gas Shortage on Consumers, Conservation—Technical Advisory Task Force—Efficiency in Use of Gas, Finance—Technical Advisory Committee and Curtailment Strategies—Technical Advisory Committee, to and including a date not later than September 15, 1978, is necessary in the public interest in connection with the performance of duties imposed by law upon the Commission.

This notice is published pursuant to Commission General Order No. 464, issued December 19, 1972, 38 FR 1083, as amended by Commission General Order No. 464-A, issued August 2, 1974, and authorities referred to therein, 39 FR 28929. See also Office of Management and Budget, Advisory Committee Management, Circular A-63 Revised, March 27, 1974, 30 FR 12389, as amended July 19, 1974.

The Executive Advisory Committee was established by Commission Orders issued April 16, 1971: Order Establishing National Gas Survey Executive Advisory Committee and Designating Its Membership and Chairmanship, 36 FR 6922; the Coordinating Committee was established by Commission Order issued May 10, 1971, Order Establishing National Gas Survey Coordinating Committee and Designating Its Membership and Chairmanship, 36 FR 8910; the other Committees and Task Forces to be renewed were established by Commission Order issued September 15, 1975, Order Establishing National Gas Survey Technical Advisory Committee and Technical Advisory Task Forces and Designating Initial Membership, 40 FR 43956. The aforementioned orders all referred to an earlier order of the Commission issued February 23, 1971, Order Authorizing the Establishment of National Gas Survey Advisory Committees and Prescribing Procedures, 36 FR 2851.

The foregoing orders have been amended by subsequent Commission orders of April 25, 1972, 37 FR 8578, Order Amending National Gas Survey Orders issued February 23, 1971, and April 6, 1971; of June 27, 1972, 37 FR 13306, amending National Gas Survey Orders; and of December 19, 1972, 37 FR 28658, amending National Gas Survey Orders

and Order Renewing National Gas Survey Technical Advisory Committees issued December 31, 1974, 40 FR 2268, and Order Renewing the National Gas Survey Executive Advisory Committee, Coordinating Committee and Coordinating Task Force, issued December 31, 1974, 40 FR 2268.

The terms of the Executive Advisory Committee and Coordinating Committee were first extended by Commission order issued December 28, 1973, Order Renewing National Gas Survey Technical Advisory Committees and Coordinating Committee 39 FR 1540, again extended by Commission order issued December 31, 1974, Order Renewing the National Gas Survey Executive Advisory Committee, Coordinating Committee and Coordinating Task Force, 40 FR 2268, and again extended by Commission order issued September 15, 1975, Order Establishing National Gas Survey Technical Advisory Committees, 40 FR 43956.

As renewed, the subject committees and task forces would function as set forth in the aforementioned orders for the additional period of time set forth above.

It is intended that these committees will provide a framework for completing ongoing National Gas Survey assignments.

The Office of Management and Budget, Advisory Committee Management, has ascertained that renewal of the subject committees and task forces as set forth above is in accord with the requirements of the Federal Advisory Committee Act, 86 Stat. 770. Renewal of these committees shall be reflected in appropriate Commission orders hereafter issued.

RICHARD L. DUNHAM,
Chairman.

[FR Doc.76-30548 Filed 10-14-76; 11:49 am]

NATIONAL GAS SURVEY ADVISORY COMMITTEE

Establishment Determination and Certification

The Chairman of the Federal Power Commission has determined that the establishment of a new National Gas Survey Advisory Committee to and including a date not later than September 15, 1978, is necessary in the public interest in connection with the performance of duties imposed by law upon the Commission.

This notice is published pursuant to Commission General Order No. 464, issued December 19, 1972, 38 FR 1083, as amended by Commission General Order No. 464-A issued August 2, 1974, and authorities referred to therein, 39 FR 28929. See also Office of Management and Budget, Advisory Committee Management, Circular A-63 Revised, March 27, 1974, 30 FR 12389, as amended July 19, 1974.

The advisory committee will be established by Commission order and will conform to principles and details noted in an order of the Commission issued February 23, 1971, Order Authorizing the

Establishment of National Gas Survey Advisory Committees and Prescribing Procedures, 36 FR 2851.

As established, the subject committee will function for a two-year period.

It is intended that this committee will provide a framework for a continuing National Gas Survey and that from time to time task forces or other subgroups subordinate to the advisory committee shall be established to support the committee work. The persistent and critical problems facing the nation's gas industry require continuation of the Survey's work. The purpose of the proposed committee will be to determine in each segment of the gas industry (supply, transmission and distribution) the conservation and energy management options available and to analyze and evaluate the potential costs and benefits of each and to suggest strategies for implementing these options. The committee is also expected to consider the matter of environmental tradeoffs.

The Office of Management and Budget, Advisory Committee Management, has ascertained that establishment of the subject committee as set forth above is in accord with the requirements of the Federal Advisory Committee Act, 86 Stat. 770. Establishment of this committee shall be reflected in appropriate Commission order hereafter issued.

RICHARD L. DUNHAM,
Chairman.

[FR Doc.76-30549 Filed 10-14-76; 11:49 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on October 8, 1976. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed FCC request are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time, GAO has to review the proposed request, comments (in triplicate) must be received on or before November 2, 1976, and should be addressed to Mr. John M. Lovelady, Acting Assistant Director, Regulatory Reports Review, Room 5216, 425 I Street, NW., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-376-5425.

FEDERAL COMMUNICATIONS COMMISSION

FCC requests clearance of a new Form 409, Application for Individual Mobile Radio Telephone License in the Domestic Public Land Mobile Radio Service. Form 409 was adopted by the Commission's Order of September 22, 1976. The use of this form is prescribed by section 21.9(c) of the FCC's Rules and Regulations. Form 409 is required to be filed when applying for authority to operate a mobile radio telephone by an individual user who intends to become a subscriber to a common carrier service. Form 409 is also required when applying for renewal of or modification to an existing license. Heretofore, Forms 401, 403, and 405 were required for this purpose. These three forms will continue to be used by the Commission for fixed base station licenses. FCC estimates reporting burden to average five minutes per response. The FCC anticipates receiving approximately 5,000 applications annually.

JOHN M. LOVELADY,
*Acting Assistant Director,
Regulatory Reports Review.*

[FR Doc.76-30257 Filed 10-14-76; 8:45 am]

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

MEETING

Change in Agenda

OCTOBER 14, 1976.

The agenda for the meeting previously announced for October 18-19, 1976, in the FEDERAL REGISTER of October 5, 1976, has been changed to include a status report of the *Glomar Explorer* on Tuesday, October 19. The amended agenda is as follows:

OCTOBER 18, 1976

MORNING

0900-1200 State Department activities and plans on Oceans, Environmental and Scientific Affairs—Ambassador Frederick Irving—Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs.
Marine Education—Mr. Harold L. Goodwin, Consultant — Mr. Thomas Murray, Office of Sea Grant—Mr. Logan Salada, Office of the Commissioner of Education, U.S. Office of Education.

AFTERNOON

1300-1700 Environmental Research Programs in the U.S. Department of Agriculture—Dr. Robert E. Buckman, Deputy Chief for Research, Forest Service USDA—Dr. Velmar Davis, Head, Environmental Research, Economic Research Services, USDA—Mr. A. R. Robinson, Staff Scientist for Erosion and Sedimentation, Agricultural Research Service, USDA.
NACOA work in progress—Dr. William J. Hargis, Jr. Chairman, NACOA.

OCTOBER 19, 1976

MORNING

0900-1200 Secretary's comments on NACOA 5th Annual Report. NACOA work in progress (continued). Status Report of *Glomar Explorer*—Chairman and Staff.

AFTERNOON

1300-1500... NACOA work in progress (continued). Adjournment at approximately 3:00 p.m.

The public is welcome at these sessions and will be admitted to the extent of the seating available. Persons wishing to make formal statements should notify the Chairman in advance of the meeting. The Chairman retains the prerogative to place limits on the duration of oral statements and discussions. Written statements may be submitted before or after each session.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Dr. Douglas L. Brooks, whose mailing address is: National Advisory Committee on Oceans and Atmosphere, Department of Commerce Building, Room 5225, Washington, D.C. 20230. The telephone number is 371-3343.

DOUGLAS L. BROOKS,
Executive Director.

[FR Doc. 76-30527 Filed 10-14-76; 10:51 am]

NATIONAL COMMISSION ON ELECTRONIC FUND TRANSFERS NOTICE OF HEARINGS

The National Commission on Electronic Fund Transfers will hold public hearings between 9:00 a.m. and 6:00 p.m. on October 28, 1976, and between 9:00 a.m. and 4:00 p.m. on October 29, 1976, in Room 2128 of the Rayburn House Office Building in Washington, D.C. These hearings, authorized by Pub. L. 93-495, Title II, section 204, will explore the conditions under which terminals performing electronic funds transfers should be deployed, and will focus on a resolution set out below.

These hearings are intended to aid the Commission in developing its recommendations to Congress and the President regarding appropriate administrative action and legislation necessary in connection with the possible development of public or private electronic fund transfer systems.

Prior to these hearings the Commission solicits the views of knowledgeable groups and individuals interested in these issues and able to address the areas of inquiry detailed below. Those interested in submitting statements for the record, giving testimony, presenting evidence or otherwise participating in these hearings should obtain a copy of the Commission's Hearing Rules, which were published in the *FEDERAL REGISTER* at 41 FR 43965, October 5, 1976, and which are also available directly from the Commission.

All persons may submit written statements and ask that they be included in the hearing record. The Commission will select from among those interested in presenting oral testimony to ensure that all points of view are represented. To this end, persons giving oral testimony may be asked to be part of a panel presentation.

Written requests to testify must be received by the Executive Director of the Commission, 1000 Connecticut Avenue, NW., Suite 900, Washington, D.C. 20036, by October 20, 1976. Such requests must be accompanied by a concise description of the material the party desires to present and the reasons why the party's oral testimony would be useful to the Commission. The hearing record will remain open for twenty-one (21) days following the hearings for written statements and comments.

The specific areas concerning EFTS which the Commission intends to investigate at these hearings are those set out in a resolution which the Commission's Committee on Regulatory Issues, at its meeting on October 7, 1976 adopted for the purpose of providing a focus for these hearings. All persons interested in testifying are asked to address the resolution, both in its entirety and in its specific parts. The resolution reads as follows:

RESOLUTION REGARDING EFTS TERMINALS

The Committee on Regulatory Issues hereby rescinds its resolution of August 26, 1976, and hereby proposes as a means of focusing thinking and of making more precise the discussion at hearings and at subsequent Commission considerations of the issues, the following:

Whereas, the National Commission on Electronic Fund Transfers (the "Commission") has the statutory responsibility to conduct a thorough study and investigation and to recommend appropriate administrative action and legislation in connection with the development of electronic fund transfer systems, taking into account, among other factors, the need to preserve competition among depository institutions and other business enterprises using such a system and the need to promote competition among depository institutions and to assure that Government regulation and involvement or participation in a system competitive with the private sector be kept to a minimum; and,

Whereas, (a) where State or Federal laws require that electronic terminals be considered branches and subject to the limitations appertaining thereto, the Commission believes those limitations would be unduly restrictive on the development of electronic funds transfer systems and the provision of funds transfer services to consumers; and, (b) where individual State and Federal laws are in conflict, such conflict might create a competitive imbalance; and,

Whereas, there is a substantive difference between the character and scope of financial services provided the consumer through terminals providing electronic funds transfer services and those

provided at a branch office of a depository institution; and,

Whereas, the Commission is of the opinion that the limitations on the deployment of electronic funds transfer terminals should be substantially less restrictive than those applicable to the establishment of branches of depository institutions:

Now, therefore, be it resolved: (1) That the Congress and State legislatures should provide for the timely and competitive development of electronic funds transfer services for consumers by enacting appropriate legislation to authorize the appropriate regulatory authorities to promulgate rules consistent with the thrust of this resolution for the deployment of off-premises electronic terminals, separate and distinct from and less restrictive than the set which presently governs branches.

(2) That business enterprises, by reason of permitting their customers to utilize electronic terminals to communicate with depository institutions, should not be considered to be regulated depository institutions or branches thereof.

(3) That Congress should take into consideration the amount of time it will take for the individual States to enact, implement and phase in electronic funds transfer laws.

(4) That recommendations regarding the deployment of terminals performing electronic funds transfer services be based upon the assumption, subject to continued study and analysis, that the effect of the deployment will not be to diminish competition among regulated depository institutions and other business enterprises, regardless of size or type.

(5) That the National Commission on Electronic Fund Transfers does not intend, by this resolution, to recommend any alteration in the division of powers between the individual States and the Federal Government in regard to the regulation of depository institutions.

Dated: October 12, 1976.

WILLIAM B. WIDNALL,
Chairman.

[FR Doc. 76-30314 Filed 10-14-76; 8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES FEDERAL GRAPHICS EVALUATION ADVISORY PANEL

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Federal Graphics Improvement Program Advisory Panel to the National Council on the Arts will be held on October 29, 1976, from 9:30 a.m.-4:30 p.m., in Room 1127 of the Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C.

A portion of this meeting will be open to the public on October 29 from 9:30 a.m.-12:30 p.m. and 2:30 p.m.-4:30 p.m.

on a space available basis. Accommodations are limited.

Interested persons may submit written statements with the committee. During the open session, graphics and related materials of the Nuclear Regulatory Commission will be discussed.

The remaining sessions of this meeting on October 29 from 1:30-2:30 p.m. are for the purpose of Panel review, discussion, evaluation, and recommendation on Federal Graphics under the National Foundation on the Arts and the Humanities Act of 1965, as amended in accordance with the President's Directives of May 16, 1972, August 23, 1974, and June 26, 1975, on Improvement of Federal Graphics. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, these sessions, which involve matters exempt from the requirements of public disclosure under the provision of the Freedom of Information Act (5 U.S.C. 552(b) (5)), will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,
*Administrative Officer, National
Endowment for the Arts, Na-
tional Foundation on the Arts
and the Humanities.*

[FR Doc.76-30264 Filed 10-14-76; 8:45 am]

RESEARCH GRANTS PANEL ADVISORY COMMITTEE

Meeting

SEPTEMBER 29, 1976.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the Research Grants Panel will be held at 806-15th Street NW., Washington, D.C. 20506, in Room 1130, from 9 a.m. to 5:30 p.m. on November 12, 1976.

The purpose of the meeting is to review General Research applications in the field of Social Science submitted to the National Endowment for the Humanities for projects beginning after April 1, 1977.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552 (b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th

Street NW., Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,
*Advisory Committee
Management Officer.*

[FR Doc.76-30192 Filed 10-14-76; 8:45 am]

RESEARCH GRANTS PANEL ADVISORY COMMITTEE

Meeting

OCTOBER 5, 1976.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the Research Grants Panel will be held at 806-15th Street, N.W., Washington, D.C. 20506, in room 1025, from 9 am to 5:30 pm on November 12, 1976.

The purpose of the meeting is to review research tools applications to the Research Materials Program in the fields of Literature, Linguistics, and the Arts submitted to the National Endowment for the Humanities for projects beginning after October 1, 1977.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, N.W. Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,
*Advisory Committee
Management Officer.*

[FR Doc.76-30191 Filed 10-14-76; 8:45 am]

NATIONAL SCIENCE FOUNDATION

SUBPANEL ON STUDENT SCIENCE TRAINING PROGRAM

Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, the National Science Foundation announces the following meeting:

Name: Subpanel on Student Science Training Program Advisory Panel for Science Education Projects.

Dates and Times: November 3, 1976, 9 a.m. to 5 p.m.; November 4, 1976, 8:30 a.m. to 5 p.m.; November 5, 1976, 8:30 a.m. to 5 p.m.

Place: Quality Inn Downtown, Massachusetts Avenue and Thomas Circle, N.W., Washington, D.C.

Type of meeting: Closed.

Contact person: Dr. Max Ward, Program Manager, Student Science Training Program, Room W-400, National Science Founda-

tion, Washington, D.C. 20550, tel: (202) 282-7150.

Purpose of subpanel: To provide advice and recommendations concerning support in the Student Science Training Program.

Agenda: To review and evaluate specific education proposals as part of the selection process for awards.

Reason for closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552(b), Freedom of Information Act. The rendering of advice by the panel is considered to be a part of the Foundation's deliberative process and is thus subject to exemption (5) of the Act.

Authority to close meeting: This determination was made by the Committee Management Officer pursuant to provisions of section 10(d) of Pub. L. 92-463. The Committee Management Officer was delegated the authority to make determinations by the Director, NSF, on February 11, 1970.

M. REBECCA WINKLER,
*Acting Committee
Management Officer.*

OCTOBER 12, 1976.

[FR Doc.76-30231 Filed 10-14-76; 8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

Lists of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on October 6, 1976 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

VETERANS ADMINISTRATION

Pretest of Nationwide Survey of Veterans, single-time, male veterans in civilian noninstitutional population, Housing, Veterans and Labor Division, Raynsford, R., 395-3532.

DEPARTMENT OF DEFENSE

Defense Civil Preparedness Agency: Increased Readiness Information System, on occasion, State and local civil pro-

paredness officials, Warren Topellius, 395-5872.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:

ESEA Title IV Financial and Performance and State Advisory Council Reports, OE-535 1 TER, annually, ESEA's Warren Topellius, 395-5872.

DEPARTMENT OF LABOR

Employment Standards Administration:

Administrative Committee Quarterly Report, CC-41, quarterly, administrative committees of 44 hometown plans, Strasser, A., 395-5867.

DEPARTMENT OF THE INTERIOR

Bureau of Outdoor Recreation:

Outdoor Recreation Telephone Survey 1977, BOR 8-218, single time, individuals over 18, Maria Gonzalez, 395-6132.

REVISIONS

ENVIRONMENTAL PROTECTION AGENCY

Application for research fellowship, FWPCA 185, on occasion, individuals applying for fellowship, Warren Topellius, 395-5872.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:

Annual Performance Report for Adult Education State Grant Programs, OE 365-1, annually, State educational agencies, Warren Topellius, 395-5872.

DEPARTMENT OF LABOR

Bureau of Labor Statistics:

Sample Refinement—FLSA Exemption Studies, BLS 3064, single time, non-farm business establishments, Caywood, D. P., 395-3443.

REVISIONS

DEPARTMENT OF THE INTERIOR

Bureau of Mines:

Quartz Crystal, Electronic Grade, 6-1243-A, annually, producers and consumers, Cynthia Wiggins, 395-5631.
Industrial Sand and Gravel, 6-1273-A, annually, commercial producers of sand and gravel, Cynthia Wiggins, 395-5631.

EXTENSIONS

U.S. CIVIL SERVICE COMMISSION

Supplement Experience Statement, CSC 1170, on occasion, applicants for employment, Caywood, D. P., 395-3443.

DEPARTMENT OF COMMERCE

Domestic and International Business Administration:

Special Provisions Re Exporting of Commodities to Yugoslavia, EAR 375.4, on occasion, commercial exporters, Warren Topellius, 395-5872.

Bureau of Census:

Residence Verification Referral 2, DD 324, single time, residents of households within the Camden, N.J., city limits, Caywood, D. P., 395-3443.

Domestic and International Business Administration:

Clearance of U.S. Exports, EAR 386.2(D), EAR 386.3(J), on occasion, commercial exporters, Warren Topellius, 395-5872.

DEPARTMENT OF DEFENSE

Departmental and other, Contractor Crew Member (Flight Record of Expenses and Qualification), DD 1279, on occasion, contractors, Warren Topellius, 395-5872.

Departmental and other, Request for Approval of Contractor (Flight Crew Members NG Government Aircraft), 83B, on occasion, individuals, Warren Topellius, 395-5872.

Departmental and other, Request for Approval of Qualification (Training Tractors Operating Government Aircraft), 83A, on occasion, individuals, Warren Topellius, 395-5872.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:

Application for Federal Assistance (Construction) Public Law 81-815 (SAFA), OE 355-1, on occasion, local educational agencies, Warren Topellius, 395-5872.

Instructions for Financial Status and Performance Reports, OEOPE Programs; District-Wide Advisory Committee, Final Report and Student Advisory Committee Final Report, OE-116-2, annually, LEA's, Warren Topellius, 395-5872.

Preapplication for Federal Assistance—Supplementary Instructions for Public Law 81-815 (Construction-SAFA), OE 355, on occasion, local educational agencies, Warren Topellius, 395-5872.

Application for Federal Assistance (Construction Programs)—Non-Commercial Educational Broadcasting Facilities Program, 323-1, annually, educational broadcasting station licenses, Warren Topellius, 395-5872.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Housing Management:

Biennial Certification of Family Income and Composition—Section 221(H) or 235 (J), FHA 3101, on occasion, homeowner receiving assistance, Housing, Veterans and Labor Division, 395-3532.

DEPARTMENT OF LABOR

Bureau of Labor Statistics:

Wage Developments in Manufacturing, 2675D, quarterly, manufacturing establishments with less than 1,000 production workers, Strasser, A., 395-5867.

Characteristics of the Insured Unemployed, ES-203, monthly, sample of local and central office records, Strasser, A., 395-5867.

DEPARTMENT OF THE INTERIOR

Bureau of Mines:

Chromite Ores and Chromium Products (Supply and Disposition) Ores, 6-1039-M, monthly, producers and consumers, Cynthia Wiggins, 395-5631.

Mica Block and Film (Annual Report of Stocks, Receipts, Consumption, and Shipments), 6-1248-A, annually, consumers of Mica Block and film, Cynthia Wiggins, 395-5631.

Fuel Oil and Kerosine Sales and Inventories, 6-1337-A, annually, producers and dealers of fuel oil and kerosine, Hulett, D. T., 395-4730.

Metallic Abrasives, 6-1201-A, annually, producers of metallic abrasives, Cynthia Wiggins, 395-5631.

Mine and Quarry Information Supplement, 6-1017-A, annually, mining companies, Cynthia Wiggins, 395-5631.

Consumption of Copper Materials, 6-1115-MS, monthly, brass and wire mills, Cynthia Wiggins, 395-5631.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.76-30223 Filed 10-14-76;8:45 am]

Office of Federal Procurement Policy

RECRUITMENT FOR FEDERAL PROCUREMENT INSTITUTE

Staff Positions

Notice is given that four Assistant Director positions for the Federal Procurement Institute are in the Competitive Civil Service and prospective candidates are advised of the following recruiting procedures. Inquiries may be directed to Michael Martinez, Assistant Administrator for Procurement Personnel and Training, Office of Federal Procurement Policy, 202/395-4934.

HUGH E. WITT,
Administrator.

The Federal Procurement Institute has recently been established under the Executive Branch of the U.S. Government to serve as the focal point for coordinating the Governmentwide planning, development, implementation and evaluation of programs in the areas of procurement research, education and training and career development. The Institute will provide leadership and assistance in improving the quality, efficiency and performance of Federal procurement personnel.

Recruitment action is expected to commence in the near future to fill the following positions in the Competitive Civil Service:

1. Assistant Director for Education and Training, GS-1102-15—Responsible for procurement curriculum planning and design; teaching methodology; course content; and development of educational resources at the Institute.

2. Assistant Director for Career Management and Development, GS-1102-15—Responsible for promotion and implementation of career management and professional development of employees in the Federal procurement work force.

3. Assistant Director for Procurement Research, GS-1102-15—Responsible for conducting procurement research and developing advanced procurement and contracting techniques and methods.

4. Assistant Director for Evaluation, GS-1102-15—Responsible for evaluating the effectiveness of all Institute activities including education and training; career management and development; and procurement research.

All positions require extensive experience in or knowledge of Federal procurement. Additionally, for each Assistant Director position substantial experience in program development, execution and evaluation is required in the specialty area outlined above.

Since these positions are in the Competitive Service, prospective candidates are advised that they must currently possess Career or Career-Conditional status, Reinstatement eligibility or eligibility on the U.S. Civil Service Commission Senior Level register in order to receive consideration for appointment. Candidates who do not possess personal Career or Career-Conditional status, or Reinstatement eligibility are requested to apply by October 30 by sending two copies of Standard Form 171, Personal Qualifications Statement, available at all U.S. Civil Service Commission Offices, to:
U.S. Civil Service Commission
1000 E Street, N.W., Desk 408-A
Washington, D.C. 20415

After item "1A, Kind of Position . . ."
On the SF-171, enter the Assistant Director position for which you want consideration.

If you are currently on the Senior Level register, do not reapply; simply send a letter indicating your interest in one of these posi-

tions and provide Senior Level identification number.

This announcement concerns recruitment for the Assistant Director positions only. Announcement of the Institute Director and Deputy Director positions will be published at a later date.

[FR Doc.76-30222 Filed 10-14-76;8:45 am]

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

[Doc. No. 301-10]

AMERICAN IRON AND STEEL INSTITUTE Complaint

On October 6, 1976 the Chairman of the section 301 Committee received from the American Iron and Steel Institute a petition alleging unfair trade practices by the European Coal and Steel Community (ECSC) and the Ministry of International Trade and Industry of Japan (MITI) resulting from a bilateral agreement between ECSC and MITI which allegedly diverts significant quantities of Japanese steel exports to the United States.

Relief is requested pursuant to section 301 of the Trade Act of 1974 (Pub. L. 93-618, 88 Stat. 1978; 19 U.S.C. 2411). The text of the petition is as follows:

IN THE OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

AMERICAN IRON AND STEEL INSTITUTE,
COMPLAINANT

Complaint under section 301 of the Trade Act of 1974.

Complaint

To the Chairman, Section 301 Committee, Office of the Special Representative for Trade Negotiations, Room 725, 1800 G Street, N.W., Washington, D.C. 20506:

1. Complainant, American Iron and Steel Institute ("AISI") is a nonprofit trade association, the membership of which includes 62 companies engaged in the manufacture and sale of iron and steel products in the United States. Approximately 95 percent of the raw steel produced in the United States (including products like or similar to those covered by the agreement described below) is made by the above mentioned companies. AISI represents a significant economic interest materially affected by the agreement which is the subject of this Complaint.

2. This complaint is filed pursuant to section 301 of the Trade Act of 1974.

3. The European Coal and Steel Community ("ECSC") and the Ministry of International Trade and Industry of Japan ("MITI") have entered into a bilateral agreement ("Agreement") whereby quantitative restrictions are imposed upon Japanese exports of certain steel products to the Common Market nations. Details of the Agreement are set forth in Section II of the supporting Brief attached hereto as Exhibit I and made a part hereof. The Agreement is unjustifiable, unreasonable and discriminatory within the meaning of section 301 of the Trade Act of 1974.

4. ECSC is an instrumentality of the governments of Belgium, Denmark, France, Ireland, Italy, Luxembourg, the Netherlands, the United Kingdom and West Germany (the "European Nations"). MITI is an instrumentality of the government of Japan. Details are set forth in Section IV of Exhibit I.

5. The Agreement is not the result of any specific or particular laws or regulations of either ECSC, the European Nations, MITI or Japan. The Agreement is oral and was deliberately attempted to be concealed from the United States. The General Agreement on Tariffs and Trade is relevant and material, as detailed on Exhibit I.

6. All iron and steel products, other than pig iron, ferroalloys and stainless steel products, are covered by the Agreement.

7. ECSC (and, therefore, the European Nations) and Japan are engaged in unjustifiable and unreasonable import restrictions which impair the value of trade commitments made to the United States in that by the Agreement quantitative restrictions are imposed on exports of steel from Japan to the European Nations in violation of Article XI of GATT without similar restrictions being imposed on exports of steel to the United States as required under the most favored-nation obligations provided for in Article XIII of GATT. In addition, the Agreement contravenes the principles embodied in the Tokyo Declaration, the O.E.C.D. pledge, the Declaration of Rambouillet, and the Dorado Beach Declaration. See Section V of Exhibit I.

8. ECSC (and, therefore, the European Nations) and Japan are engaged in discriminatory acts and policies which are unjustifiable and unreasonable and which burden or restrict United States commerce in that the Agreement substantially restrains the amount of Japanese steel which may enter the European Nations and thereby diverts significant quantities of Japanese steel exports to the United States. The Agreement will reduce Japanese exports of steel to the European Nations from a minimum free market level of 4,000,000 net tons to a maximum of 1,344,000 net tons in calendar year 1976 and will result in increased exports of Japanese steel to the United States of 1,500,000 net tons or more in calendar year 1976.

9. Details of the effect of the Agreement on United States steel producers and workers are set forth in Section III of Exhibit I.

10. Complainant seeks such relief as will (a) eliminate the burden, restriction and discrimination caused by the Agreement, and (b) provide compensation for the burden, restriction and discrimination already sustained. Complainant respectfully requests the President's Special Representative for Trade Negotiations to make a report to the President so that the President may take the authorized action to provide such relief. No other forms of relief are being sought by the Complainant under the Trade Act of 1974 or any other act.

Respectfully submitted,

F. C. LANGENBERG,
President,

American Iron and Steel Institute.

OCTOBER 6, 1976.

No hearing has thus far been requested by complainant American Iron and Steel Institute.

A copy of the complaint and supporting brief are available for public inspection in Room 725, 1800 G Street, N.W., the Office of the Special Representative for Trade Negotiations.

Interested parties are invited to submit preliminary views on this matter. Such views should conform to the procedures for complaints received pursuant to section 301 of the Trade Act of 1974, specifically Part 2006.6 (40 FR 39499, Aug. 28, 1975), and should be sent to the attention of "Secretary, Section 301 Committee, Room 725, Office of the

Special Representative for Trade Negotiations, 1800 G Street, N.W., Washington, D.C. 20506." It is requested that all such preliminary views be submitted by November 15, 1976.

MORTON POMERANZ,
Chairman,
Section 301 Committee.

[FR Doc.76-30290 Filed 10-14-76;8:45 am]

POSTAL RATE COMMISSION VISITS TO POSTAL FACILITIES

OCTOBER 13, 1976.

Notice is hereby given that employees of the Postal Rate Commission will visit facilities on the dates indicated for the purpose of observing the operations of these facilities relating to use of U.S. mail service.

No particular matter at issue in contested proceedings before the Commission nor the substantive merits of a matter that is likely to become a particular matter at issue in contested proceedings before the Commission will be discussed. A report of the visits will be on file in the Commission's docket room.

Place of visit	Date of visit
Farmingdale, N.Y., Blair Mail Marketing.	Oct. 15, 1976.
Waco, Texas Post Office.	Oct. 16, 1976.
Dallas, Texas Bulk Mail Center.	Oct. 18, 1976.
Des Moines, Iowa, The Reuben H. Donnelley Corp.	Oct. 19 to 20, 1976.

By direction of the Commission.

DAVID F. HARRIS,
Acting Secretary.

[FR Doc.76-30341 Filed 10-14-76;8:45 am]

[Docket No. MC76-5]

BASIC MAIL CLASSIFICATION REFORM SCHEDULE, 1976

Prehearing Conference; Rescheduled

OCTOBER 12, 1976.

Notice is hereby given that the Presiding Officer has rescheduled the prehearing conference previously scheduled in the above-designated proceeding for Monday, October 18, 1976, to Wednesday, October 20, 1976, at 9:30 a.m., in the Commission's Hearing Room, Suite 500, 2000 L Street NW., Washington, D.C.

DAVID F. HARRIS,
Acting Secretary.

[FR Doc.76-30418 Filed 10-14-76;8:45 am]

PRIVACY PROTECTION STUDY COMMISSION

RECORDKEEPING PRACTICES OF EDUCATIONAL INSTITUTIONS

Hearings

The Privacy Protection Study Commission will hold two additional days of hearings on the personal data record-keeping practices of educational institutions in Washington, D.C. on November 11 and 12, 1976. The hearings will

be held in Room 2358, Rayburn House Office Building, Independence Avenue and South Capitol Street from 9:30 a.m. to 5:00 p.m. on November 11, and from 9:00 a.m. to 5:00 p.m. on November 12.

On October 7 and 8, 1976, the Commission held its first set of hearings on the record-keeping practices of educational institutions in Los Angeles, California. These hearings were announced in the *FEDERAL REGISTER*, Vol. 41, No. 164, dated Monday, August 23, 1976. The Los Angeles hearings concentrated on the impact of the Family Educational Rights and Privacy Act of 1974 (hereinafter FERPA) on the record-keeping policies and practices of elementary and secondary institutions. The Washington hearings will emphasize the practices of post-secondary institutions, organizations maintaining personal records related to school admissions or financial aid, the Department of Health, Education, and Welfare resources and strategies for implementing FERPA, and the development of state-wide or regional computer-based information systems for auditing, eligibility determination, or provision of special services in schools.

In Section I of its August 23 *FEDERAL REGISTER* notice, the Commission solicited background information on a number of questions related to both the Los Angeles and Washington hearings. Now the Commission is seeking additional written submissions and oral testimony on the following matters.

FERPA AND POST-SECONDARY INSTITUTIONS

The Definition of Education Records. With four exceptions, FERPA applies to records "which contain information directly related to a student * * * and * * * are maintained by an educational agency or institution."

This definition refers to any institutional record which contains information about an identifiable student, including records which are not maintained for the purpose of making decisions about the rights, privileges, or status of a student within an institution, such as the minutes of meetings of institutional committees on which a student sits. The Commission is interested in learning how the definition of "education records" affects the implementation of FERPA by institutions, particularly with regard to the DHEW requirement that an educational institution give students notice of the types of records it maintains on them (45 CFR 99.5(a)(2)(iv) and 99.6). Has this definition caused special problems for higher education institutions (which are more likely to have decentralized record-keeping procedures and multiple points of contact with the student from which "education records" are generated)?

The exceptions to what may be considered "education records" under FERPA appear to have ratified certain practices in educational institutions. The Commission would like to know: (1) whether the exceptions actually serve any legitimate institutional or public policy purposes and, if so, what those

purposes are; (2) whether the exceptions allow the Act's intent to be circumvented and, if so, whether and how the student or parent is injured; and (3) how any adverse effects might be avoided, while still meeting any legitimate objectives of the exceptions.

In addition, the Commission would like to learn whether there are records presently classified as "education records" which should not be. Specifically, (1) what types of records might these be; (2) what legitimate institutional or public purposes would be served by excluding them from the Act's coverage; (3) why should these purposes outweigh consideration for the privacy of the student or his need to know what is recorded about him; (4) are there less drastic methods of accomplishing these purposes than by excluding the records from coverage by the Act; and (5) how will the interests of the student be protected in the absence of FERPA coverage?

Consortia and Membership in Regulatory Organizations. Many such institutions participate in consortia and other organizations for the purpose of sharing educational services, providing greater opportunities for their students, or regulating certain aspects of inter-institutional relationships and activities, such as athletics. The Commission would like to know how FERPA has affected the activities of these organizations and whether their information practices should be regulated by FERPA or similar legislation. As a first step, the Commission needs more information about these organizations—what functions they perform, what services they provide to educational institutions, and what their information practices are. Further, the Commission must determine (1) whether services or opportunities provided by such organizations are contingent upon disclosure, or consent to disclosure, by the student of personally identifiable information to the organization and, if so, how the administration of any such requirement has been treated under FERPA; (2) to whom identifiable information about students obtained by these organizations is redisclosed, including whether institution A (as a member of the organization) can obtain information (through the organization) about a student enrolled at institution B.

Applicants' Records. While not arising from the definition of "education records," several related matters affect the student's access to records. "Student" is defined by the Act so as to give an applicant for admission to an institution no right to inspect the admission file on him unless he is actually admitted. Yet it would appear that the unsuccessful applicant is the one with the greater need to inspect his admission file. The Commission would like to know what the record-keeping practices are regarding applicants' records and what legitimate purpose is served by preventing an applicant from inspecting them.

Waiver Rights. The Act also provides that a student may waive the right to inspect letters and statements of recom-

mendation. This issue was raised in the Commission's August 23 *FEDERAL REGISTER* notice in Section II, Waivers of Rights. The Commission is interested in additional testimony on the issues specified in the previous notice.

Directory Information. FERPA provides that an institution which discloses "directory information" to the public must first give the student notice of its intent and an opportunity to specify that some or all of the data elements, including name, current enrollment status, or degrees received from the institution, not be disclosed. How has this procedure been set in practice? What difficulties has it caused and how may they be avoided? Specifically, can a student foreclose an institution from even acknowledging the student's existence or enrollment in the institution. Is this result appropriate, or should some data elements be specified by the Act as public information about whose disclosure the student may not object? If the public information approach were adopted, what elements should be included, and why should they be considered to be in the public domain? In addition, the Act appears to enable a student to prevent an institution from acknowledging his or her receipt or non-receipt of a degree, thus allowing the student to claim without contradiction that a certain degree was awarded when in fact it was not. In this instance, what is an appropriate balance between the student's desires for privacy and the institution's need, if any, to protect itself against such claims?

RELATED EDUCATIONAL SERVICE ORGANIZATIONS

There are several national organizations which develop and administer standardized admission tests to assist institutions in determining the qualifications of an applicant. Further, such organizations provide credential assembling and referral services wherein an applicant's credentials are submitted to a central point from which they are transmitted to designated institutions to which the applicant has applied. Finally, these organizations also offer financial aid evaluation services similar to their credential assembling and referral services.

The Commission is interested in determining whether FERPA or similar legislation should apply to these organizations. In order to make a reasoned decision, the Commission needs to learn more about the information practices of these organizations regarding the information they receive on students and/or their families, and the nature of their relationship to educational institutions, on the one hand, and applicants/students on the other. Specifically, the Commission needs to know (1) from what sources these organizations obtain their information about an applicant or a student; (2) what information is disclosed by educational institutions to these organizations; (3) whether these disclosures are with the consent of the student; (4) to whom and for what purposes information is redisclosed by these organizations without the student's knowledge

or consent; and (5) are the data collected about students used for research purposes unrelated to administration and validation of tests administered by these organizations and, if so, for which research purposes and under what conditions and procedures are data made available to researchers?

HEW ENFORCEMENT

The Act provides that the Secretary of the Department of Health, Education and Welfare shall enforce the provisions of FERPA and deal with alleged violations. The Commission is interested in obtaining information concerning the Department's enforcement activities from the standpoint of the Department, the regulated institutions, and parents and students.

Has interpretative guidance provided by the Department to institutions or parents and students been adequate? How might additional specific guidance be provided without the Department's appearing to require standardized procedures and practices among educational institutions?

The Department has elected to enforce the act through the complaint adjudication process and by provision of individual guidance upon request. Has this method been as effective as an enforcement procedure which requires submission of individual institutional implementation plans with review and approval of these plans by the Department? How might the Department's enforcement effort be improved?

STATE-WIDE OR REGIONAL COMPUTER BASED INFORMATION SYSTEMS

Many Federal and State financed special services programs for targeted populations of students, e.g., gifted, handicapped, economically deprived, etc., establish record-keeping requirements. The Commission is interested in looking at State-wide, multi-district, and district-wide computer-based systems established for reporting purposes under these types of programs. Do such systems collect and retain individually identifiable data? Do other government agencies have access to such data? Under what conditions? Do contributing agencies have access to the total file on a routine basis? On a specific request basis? Are such files maintained by educational agencies or other social service agencies and if the latter, are their records being considered as educational records?

GENERIC PROBLEMS WITH FERPA IMPLEMENTATION

The Commission is also interested in further written submissions and public testimony regarding general problems with FERPA implementation in elementary and secondary as well as post-secondary institutions.

Third-Party Disclosure. FERPA establishes the general rule that information contained in education records will not be disclosed to third parties unless the circumstances of disclosure qualify under one of the exceptions specified in the Act. Generally, the Commission is interested in the appropriateness of these exceptions. Principles of fair information practice hold that disclosure should not be made without the record subject's consent unless the disclosure is for a purpose consistent with the purpose for which the information was originally collected. Has the Act ratified disclosures which are not appropriate under this standard or which are not in the student's best interest? Which of the exceptions should be deleted and why? Which should be modified to include further specification regarding the circumstances under which a disclosure without consent may be made? What modifications should be made and why? Are there additional exceptions to the prior consent rule which should be enacted? If there are, the Commission needs to know why parental or student consent to the disclosure is inappropriate or not feasible.

Separate Treatment for Elementary and Secondary Institutions. The exceptions to the prior consent rule specified in FERPA apply equally to elementary and secondary and to post-secondary institutions. Is this consistency desirable, or are there circumstances under which a disclosure without consent would be appropriate if the student were enrolled in a secondary educational institution and inappropriate if enrolled in a post-secondary institution? For example, unlike post-secondary institutions, elementary and secondary schools are usually considered to have a socialization mission in addition to their primary educational mission. The existence of this mission suggests that there may be relationships between the school and external service agencies, such as juvenile justice or other social service agencies, to which the disclosure of information without prior consent would be appropriate. If disclosures are to be made to such agencies, should they be prohibited from disclosing it to anyone else (other than the student or parent) or from using it for any purpose other than the purpose for which it was given to them?

Moreover, are there other circumstances in which disclosure of information from student records to non-student parties would be appropriate in view of a need to provide elementary and secondary students with remedial counseling or treatment? What circumstances are these and why is it inappropriate or not feasible to obtain prior parental consent? Are these situations in elementary and secondary institutions so different that they require separate legislative treatment of elementary and secondary schools?

State Laws. FERPA permits disclosure of a student's record without consent when the disclosure is to State or local officials to whom the information is specifically required to be reported under a State statute adopted prior to November 19, 1974.

The Commission is interested in knowing the types of information reported under these statutes, as well as the provisions of the statute which are construed to "specifically require" such disclosure.

By adoption of a retroactive November 19, 1974 cut-off point for enactment of State laws compelling disclosure, the Act appears simultaneously to prohibit a practice in one State when that practice is permitted in another simply because the first State provided for the disclosure prior to the cut-off date. The Commission is concerned about the apparent inconsistencies created by this provision and would like to learn about its impact in the field. The Commission would like to consider whether it is desirable or feasible for the Act only to specify the general instances in which State legislation compelling disclosure would be permissible, thereby permitting all States to decide, within a range of choices, what sorts of disclosures would be appropriate. Instances in which States might adopt legislation could include, for example, audit or enforcement of State aid programs to schools, juvenile justice, treatment and education of exceptional children, or verification of eligibility to attend (such as whether a student meets a residency requirement). In regard to this issue, the Commission is interested in learning, relative to particular disclosures which might be proposed, (1) why parental or student consent is inappropriate or not feasible; (2) the purpose for which the disclosures would be made; (3) the sorts of information that would be disclosed. Further, the Commission needs to know more about the information practices of the parties to whom information would be disclosed, including redisclosure practices, provisions protecting against unauthorized redisclosure, procedures for inspection of the record by the record subject, and procedures for verifying the accuracy of the records maintained by these third parties.

Dated: October 12, 1976.

DAVID F. LINOWES,
Chairman.

CAROLE W. PARSONS,
Executive Director.

[FR Doc.76-30225 Filed 10-14-76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Release No. 19708; 70-5909]

ALABAMA POWER CO.

Proposed Sale of Transmission Facility

OCTOBER 6, 1976.

Notice is hereby given that Alabama Power Company ("Alabama"), P.O. Box 2641, Birmingham, Alabama 35201, an electric utility subsidiary of The Southern Company, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Section 12(d) of the Act and Rule 44 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Alabama proposes to sell its Opp Transmission Substation to Alabama Electric Cooperative, Inc. ("Cooperative") pursuant to the request of the Cooperative. The substation will be conveyed from Alabama to the Cooperative by deed and bill of sale for a sale price of \$1,900,000; depreciated book value of the substation was \$1,456,736 as of July 31, 1976. Alabama will obtain from its first mortgage bond trustee a release of the substation from the lien of Alabama's first mortgage indenture.

Alabama presently delivers power to the Cooperative pursuant to an inter-connection agreement, and the Cooperative uses the Opp substation in connection with the receipt of such power. The Cooperative has paid Alabama a monthly facilities charge in connection with this substation. The charge will be eliminated upon the consummation of the proposed transaction. There is to be no substantial change in the use of the transmission substation.

The fees and expenses to be incurred in connection with the proposed transaction are estimated at \$3,500, including legal fees of \$1,000. It is stated that no State commission and no Federal commission, other than this Commission has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than October 29, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-30295 Filed 10-14-76;8:45 am]

[Release No. 12880, File No. SR-CBOE-76-13]
**CHICAGO BOARD OPTIONS EXCHANGE,
INC.**

Order Approving Proposed Rule Changes

On July 1, 1976, the Chicago Board Options Exchange, Inc. (the "CBOE"), LaSalle at Jackson, Chicago, Illinois 60604, filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b-4 thereunder, copies of proposed rule changes to amend rules relating to transfer of memberships, admission of members, and association with members and to prescribe procedures to govern such matters.

Notice of the proposed rule changes together with the terms of substance of the proposed rule changes was given by publication of Securities Exchange Act Release No. 12625 (July 14, 1976) and by publication in the FEDERAL REGISTER (41 FR 30750, July 26, 1976). On September 28, 1976, the CBOE made certain technical amendments in the proposed rule changes.

The Commission finds that the proposed rule changes, as amended,¹ are consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 and the rules and regulations thereunder.²

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule changes, as amended, be, and they hereby are, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

¹Rule 3.4(b) provides in part that the CBOE "may deny membership to, or condition the membership of, a registered broker or dealer if (1) such broker or dealer is unable to satisfactorily demonstrate its present capacity to adhere to applicable provisions of (1) Sections 15 and 17 of the Securities Exchange Act of 1934 * * * The CBOE does not contemplate the imposition of standards of training, experience, education, or character based in Rule 3.4. Rule 3.5(b) governs in part the extent to which a member organization or a person associated with a member organization may affiliate with another organization in the securities business. It is understood to mean that any member organization or any person associated with a member organization may associate with or have any financial interest in any other organization engaged in the securities business unless such association or financial interest has been disclosed to and disapproved by the CBOE.

²The Commission's approval of amendments to the rules, particularly Rules 3.1, 3.2, and 3.3, is subject, nevertheless, to the Commission's review pursuant to Section 31(b) of the Securities Acts Amendments of 1975. See, e.g., Securities Exchange Act Release No. 12157 (March 2, 1976).

[FR Doc.76-30296 Filed 10-14-76;8:45 am]

[File No. 1-6252]

**COMBUSTION EQUIPMENT ASSOCIATES,
INC.**

**Application To Withdraw From Listing and
Registration**

OCTOBER 12, 1976.

The above named issuer has filed an application with the Securities and Exchange Commission pursuant to Section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the American Stock Exchange, Inc.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

This security has become listed and registered on the New York Stock Exchange, and the Company has concluded that the costs and expenses of maintaining dual listings outweigh the possible benefits of both listings.

The American Stock Exchange has not objected to this application, and this security retains unlisted trading privileges on the Philadelphia Stock Exchange, Inc.

Any interested person may, on or before November 12, 1976 submit by letter to the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549, facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. An order granting the application will be issued after the date mentioned above, on the basis of the application and any other information furnished to the Commission, unless it orders a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-30297 Filed 10-14-76;8:45 am]

[File No. 500-1]

DIVERSIFIED INDUSTRIES, INC.

Suspension of Trading

OCTOBER 7, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Diversified Industries, Inc. being traded on a national securities exchange or otherwise is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from October 8, 1976 through October 17, 1976.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-30298 Filed 10-14-76;8:45 am]

[Release No. 33-5750]

**EMPLOYEE'S STOCK OWNERSHIP PLAN,
SECURITIES ISSUED****Resale**

The Securities and Exchange Commission today announced that the Division of Corporation Finance issued the following letter reversing the position stated in Securities Act Release No. 5223, January 1, 1972¹ and Securities Act Release No. 5243, April 12, 1972² regarding the status of securities acquired pursuant to an Employee's Stock Ownership Plan ("ESOP").

BACKGROUND

Rule 144 (17 CFR 230.144), under the Securities Act of 1933 (the "Act") (15 U.S.C. 77a et seq.), adopted a procedure relating to the resale of "securities" acquired directly or indirectly from issuers or from affiliates of such issuers in transactions not involving any public offering.³ Rule 144 permits resales by affiliates⁴ of securities of an issuer and resales by other persons of restricted securities of an issuer to be made without such persons being deemed to be engaged in a distribution and thus be considered underwriters as defined in Section 2(11) of the Act. Rule 144(a)(3) defines "restricted securities" as securities acquired directly or indirectly from the issuer thereof, or from an affiliate of such issuer, in a transaction or chain of transactions not involving any public offering. Subsequent to the adoption of Rule 144 questions were raised as to the types of transactions engaged in by an issuer which would result in the issuance of "restricted securities." In this regard the Commission took the position⁵ that securities acquired pursuant to stock bonus or similar plans were included within the Rule 144 definition of "restricted securities." Accordingly, the Division of Corporation Finance, in issuing interpretive and "no-action" letters, consistently took the position⁶ that common stock acquired by a trustee of an ESOP, from the issuer, for allocation, distribution and subsequent sale by employees of the issuer would be "restricted securities" for purposes of Rule 144.

In the instant case, the amount of common stock of the Company contributed to the ESOP trustee in the first year would be less than 0.3 percent of the outstanding common stock and the maximum amount distributed to a single employee would be eleven shares. In addition, pursuant to the Tax Reduction Act of 1975 the trustee must hold the

common stock until the earlier of seven years or termination of employment of the employee. In light of the foregoing facts and other facts set forth in the letter, the Commission does not believe it in the public interest or in the interest of the protection of investors to take the position in this situation or any similar situation that ESOP shares in the hands of non-affiliate employees are "restricted." The small number of shares which each employee could sell and the consequent limited market impact of such sales does not warrant requiring the employee to comply with the provisions of Rule 144. In addition, in many instances, because of the limited number of shares to be sold, the cost to the employee, assuming a broker would handle the transaction, would be disproportionate to the amount received from the sale. Therefore, in light of the possible burdens of compliance and the limited benefits if any, the Commission authorized the Division of Corporation Finance to issue the following letter:

"DEAR MR. X: "This is in response to your letters of July 23, 1976 and August 13, 1976 concerning the applicability of the registration requirements of the Securities Act of 1933 (the 'Act') to the Employee Stock Ownership Plan (the 'Plan') of ----- (the 'Company').

"We understand the facts to be as follows. The Company is a publicly-owned corporation whose common stock is registered under Section 12(b) of the Securities Exchange Act of 1934 and is traded on the New York and other national securities exchanges and is quoted on the NASDAQ automated quotation system. The Plan is intended to qualify as a stock bonus plan under Section 401 of the Internal Revenue Code of 1954 and as an employee stock ownership plan under Section 301(d) of the Tax Reduction Act of 1975. The Trustee of the Plan will be an independent bank which will not be affiliated with the Company.

"The Plan calls for the Company and each of its consolidated subsidiaries to elect a specified additional amount of investment tax credit to be given to their employees. It is intended that the Company and its electing subsidiaries will issue the Company's common shares to the Plan Trustee. Plan members may not contribute to the Plan. An account will be maintained for each participant and will be administered by a Plan Committee of the Company. All employees of the Company and its participating subsidiaries who had compensation paid during the year and who performed a minimum number of service hours will be eligible to participate. A participant's interest in the shares allocated to his or her account will vest and be non-forfeitable at all times. Distribution to Plan participants will occur seven years after the shares have been credited to a participant's account or upon termination of employment, whichever occurs first. Distributions are intended to be made solely in the Company's common stock. Each Plan participant will have the right to direct the voting of the shares allocated to his or her account. You estimate that the Company's contribution for the first year would be less than 0.3 percent of the outstanding common stock of the Company. In addition, because of the seven year holding period, you estimate that less than 10 percent of the eligible number of employees would be able to sell only 22 percent of the average weekly trading volume in the Company's common stocks during the year. You opine that such aggregate sales would not have a significant impact on the market.

"You have raised questions relating to the applicability of the registration requirements of the Act to the common stock contributed to the Plan by the Company, the interests in the Plan of eligible employees, and the distributions of the Company's common stock by the Trustee. Based on the facts presented, and contingent upon a favorable ruling from the International Revenue Service concerning the qualification of the Plan under Section 401 of the Internal Revenue Code, this Division will not recommend any enforcement action to the Commission if the Plan is implemented as described, without registration under the Act, in reliance upon your opinion as counsel that the transactions are exempt therefrom.

"Because this position is based upon representations made to the Division in your letter, it should be noted that any different facts or conditions might require a different conclusion. Furthermore, this view only expresses the Division's position on enforcement action and does not purport to express any legal conclusion on the questions presented.

"In addition, you have questioned whether or not the Company's common stock distributed to Plan participants constitutes 'restricted securities' pursuant to Rule 144. The Commission has authorized the Division to inform you that, in the circumstances of this case, the Commission is of the view that Company's shares received by the Trustee from the Company would not be 'restricted securities' under Rule 144 when distributed to employees pursuant to the Plan."

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

OCTOBER 8, 1976.

[FR Doc.76-30306 Filed 10-14-76;8:45 am]

[File No. 500-1]

**EQUITY FUNDING CORP. OF AMERICA AND
ORION CAPITAL CORP.****Suspension of Trading**

OCTOBER 7, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Equity Funding Corporation of America, including Orion Capital Corporation, being traded on a national securities exchange or otherwise, is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from October 8, 1976 through October 17, 1976.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-30299 Filed 10-14-76;8:45 am]

[Rel No. 9472; 812-4020]

FOURSQUARE FUND, INC., ET AL.

Application Pursuant to Section 17(b) of the Act for an Order Exempting a Proposed Transaction From Section 17(a) of the Act

OCTOBER 5, 1976.

Notice is hereby given that Four-square Fund, Inc. ("Fund"), 24 Federal

¹ Hereinafter referred to as "Rel. No. 5223."

² Hereinafter referred to as "Rel. No. 5243."

³ Supra Note 1 at page 1.

⁴ Rule 144(a)(1) defines "affiliate" of an issuer as a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, such issuer.

⁵ Supra note 2.

⁶ See Geo. A. Hormel & Co. letter (pub. avail. March 2, 1976); Flisk Electric Company letter (pub. avail. January 6, 1976); Union-American letter (pub. avail. August 25, 1975); American Appraisal Associates, Inc. letter (pub. avail. July 28, 1975).

Street, Boston, Massachusetts 02110, an open-end, diversified, management investment company registered under the Investment Company Act of 1940 ("Act"), Marvin M. Demchick ("Demchick"), President of Life of Pennsylvania Financial Corporation ("Financial"), 230 South Fifteenth Street, Philadelphia, Pennsylvania 19102, Alfred P. Coletta ("Coletta") and Raymond H. Kraftson ("Kraftson"), Vice-Presidents of Financial, and Triangle Processing Corporation ("Triangle"), 97 North Main Street, Gloversville, New York 12078, (Demchick, Coletta, Kraftson and Triangle are hereinafter collectively referred to as "Purchasers") (Purchasers and Fund are hereinafter collectively referred to as "Applicants") filed an application on August 24, 1976, pursuant to Section 17(b) of the Act, for an order of the Commission exempting from the provisions of Section 17(a) of the Act the proposed purchase from the Fund by Purchasers of 50,000 shares of the common stock of Financial, an affiliated person of the Fund. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

The Fund owns 50,000 shares of the common stock of Financial, an insurance holding company, which represent approximately 7.5% of the issued and outstanding shares of Financial. These securities were acquired in 1969 in exchange for 50,000 shares of the common stock of Life Assurance Company of Pennsylvania ("Assurance"). The Assurance shares were purchased for \$500,000 in 1968 as part of a private sale to two registered investment companies.

Pursuant to an agreement dated August 1, 1976 ("Agreement"), the Fund proposes to sell to Purchasers and Purchasers propose to purchase from the Fund the shares of Financial stock presently held by the Fund at a price of \$.625 per share for an aggregate consideration of \$31,250. No commissions or fees will be payable in connection with the proposed transaction other than legal fees incurred in connection with this application.

Section 17(a) of the Act provides, in pertinent part, that it shall be unlawful for any affiliated person of a registered investment company, or any affiliated person of such a person, acting as principal, knowingly to purchase from or sell to such registered investment company any security or other property subject to certain exceptions. Section 17(b) of the Act provides that the Commission upon application, may exempt a proposed transaction from the provisions of Section 17(a) of the Act if the evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, and the proposed transaction is consistent with the policy of each investment company concerned and with the general purposes of the Act.

Section 2(a) (3) of the Act defines an affiliated person of another person to include any person owning 5% or more of the outstanding voting securities of such other person, any person 5% or more of whose outstanding securities are owned by such other person, and any officer of such other person. Consequently, the Fund and Financial are affiliated persons of each other. Triangle owns 9.1% of the issued and outstanding shares of Financial. Therefore, Triangle and Financial are affiliated persons of each other. Demchick, Coletta and Kraftson, as officers of Financial, are affiliated persons of Financial. Accordingly, the Purchasers, as affiliated persons of an affiliated person of the Fund, are, in the absence of an exemptive order, prohibited by Section 17(a) from purchasing shares of Financial from the Fund.

Applicants assert that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of the Fund and with the general purposes of the Act. In support of this assertion, Applicants represent that the agreement between the Purchasers and the Fund is the result of arms length negotiations and that the agreed-upon purchase price of \$.625 per share is equal to the mean between the bid and asked prices for Financial's common stock as quoted on the Philadelphia Stock Exchange on June 30, 1976, the date upon which informal agreement on the proposed transaction was reached. Applicants state that the Fund has been advised by Eaton & Howard, the Fund's investment adviser, that its investment in Financial is no longer within the investment criteria established by the Fund and that more favorable opportunities for investment exist elsewhere. Applicants further assert that the Fund would have difficulty in otherwise disposing of the Financial shares since the shares are restricted securities and only a limited market exists for the unrestricted shares of Financial, which have been trading on the Philadelphia Stock Exchange from 1974 to the present at an average weekly volume of fewer than 500 shares per week. Applicants believe that any disposition by the Fund of such a large block of shares could be expected to depress substantially the market for Financial's common and, thus, the price the Fund would receive for the shares.

Applicants represent that none of the Purchasers have any interest in, or agreements, understandings or affiliation with, the Fund, other than set forth in the Agreement. Applicants further represent that the Agreement is conditioned upon approval by a majority of the disinterested directors of the Fund and of Financial.

Notice is further given that any interested person may, not later than October 29, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied

by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the addresses stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law, by certification) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-30300 Filed 10-14-76;8:45 am]

[Rel. No. 12874; (SR-NYSE-76-17)]

NEW YORK STOCK EXCHANGE, INC.

Order Approving Proposed Rule Change

OCTOBER 7, 1976.

On March 11, 1976, the New York Stock Exchange Incorporated ("NYSE"), 20 Broad Street, New York, New York 10035, filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change to authorize listed issuers to use a single denomination stock certificate. The new certificate would not be required to have corner engravings denoting or limiting the share denomination of the certificate. Instead, the denomination would, at the time of issuance, be placed upon the certificate using a combination of printing, engraving and other safety devices specified in the rule.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 12452 (May 14, 1976)) and by publication in the FEDERAL REGISTER (41 FR 21257 (May 24, 1976)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on March 11, 1976, be, and it hereby is, approved.

For the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-30301 Filed 10-14-76;8:45 am]

[Release No. 34-12877; File No.
SR-NYSE-76-50]

NEW YORK STOCK EXCHANGE, INC.
Self-Regulatory Organizations; Proposed
Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on October 1, 1976, the above mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE
OF THE PROPOSED RULE CHANGE

New Language Italicized

ARTICLE III

Sec. 12. Any person made, or threatened to be made, a party to any action or proceeding, whether civil or criminal, by reason of the fact that he, his testator or intestate, is or was a Director or officer of the Exchange or serves or served any other corporation, or any partnership, joint venture, trust or other enterprise, in any capacity at the request of the Exchange, shall be indemnified by the Exchange, and the Exchange may advance his related expenses, to the full extent permitted by law.

Indemnification shall be accorded by the Exchange, and related expenses may be advanced, in respect of members of any committee authorized by the Constitution or by the Board of Directors, Floor Officials, Arbitrators, *Members of the Hearing Board*, Trustees of the Gratuity Fund, Trustees of the Special Trust Fund, employees of the Exchange and directors, officers and employees of any corporation a majority of the stock of which is held by the Exchange to the same extent as provided by law in respect of Directors and officers. The foregoing right of indemnification shall not affect any rights to indemnification to which persons other than Directors and officers of the Exchange may be entitled by contract or otherwise under law.

NYSE's STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The amendment was enacted to codify an existing interpretation of the Exchange Constitution. The Constitutional provision providing indemnification for those who act on behalf of the Exchange is very old. Members of the Hearing Board are not included in the enumeration of those to be indemnified because this Section of the Constitution was last amended prior to the creation of the Hearing Board. Prior to this amendment, the Exchange has taken the view that

members of the Hearing Board may be indemnified as members of a committee authorized by the Constitution, or as officers of the Exchange.

The amendment is based upon Section 6(b)(1).

(i) The Exchange must enforce compliance with the Act, the Constitution and Rules of the Exchange, by its members, and persons associated with its members. The enforcement proceedings of the Exchange are conducted before a Hearing Panel composed of members of the Hearing Board and an Exchange official who serves as Hearing Officer. This Panel issues decisions and may impose sanctions. Members of the Hearing Board are knowledgeable persons from the securities industry appointed by the Chairman of the Exchange and approved by the Board of Directors. The Exchange intends that the indemnification provisions of the Constitution shall apply to those who act on behalf of the Exchange. However, the absence of specific reference to the Hearing Board in that section of the Constitution which deals with indemnification, may raise doubts in the minds of some, and may cause qualified and prominent members of the securities industry who serve on the Hearing Board to consider resigning or declining to serve.

(ii) through (viii)—Not applicable.

Comments were not solicited upon the amendment.

The technical clarifying amendment in no way affects competition and imposes no burden thereupon.

The foregoing rule change has become effective, pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934. At any time within sixty days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submission should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, NW, Washington D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before November 8 1976.

For the Commission by the Division of Market Regulation pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

OCTOBER 8, 1976.

[FR Doc.76-30305 Filed 10-14-76;8:45 am]

[Release No. 12879; SR-OCC-76-3]

OPTIONS CLEARING CORP.

Order Approving Rule Changes Submitted by the Options Clearing Corporation Relating to Clearing Members' Financial Responsibility

OCTOBER 8, 1976.

On May 25, 1976, the Options Clearing Corporation ("OCC"), 5950 Sears Tower, 233 S. Wacker Drive, Chicago, Illinois 60606, submitted, pursuant to Rule 19b-4 under the Securities Exchange Act of 1934 (the "Act"), proposed changes to OCC Rules 301-308.

In accordance with Section 19(b) of the Act and Rule 19b-4 thereunder, notice of the proposed rule changes was published in the FEDERAL REGISTER (41 FR 23501, June 10, 1976) and the public was invited to comment thereon. Notice of the filing and an invitation for comments also appeared in Securities Exchange Act Release No. 34-12514, June 3, 1976. By amendments to the filing, OCC proposed further changes to Rule 305, and, with respect to both Rules 304 and 305, extended the time for Commission action on those rules. The amendments were incorporated in the OCC submission and included in the public file.

The proposed changes to OCC Rules 301-303 and 306-308 would establish net capital requirements for Clearing Members which have elected to operate under the alternative net capital requirements set forth in paragraph (f) of Rule 15c3-1 under the Act, would increase the initial net capital requirements for Clearing Member applicants which have not so elected, would make certain revisions in OCC's requirements with respect to early warning notices, and would conform to Commission usage certain terms used in OCC's net capital rules.

The Commission has reviewed the proposed changes to Rules 301-303 and Rules 306-308 and finds that they are consistent with the requirements of the Act and the rules and regulations thereunder applicable to registered clearing agencies. The Commission has not reviewed and makes no finding at this time regarding the proposed changes to Rules 304 and 305.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed changes to OCC Rules 301-303 and 306-308 contained in File No. SR-OCC-76-3 be, and hereby are, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-30302 Filed 10-14-76;8:45 am]

[File No. 500-1]

SANITARY CONTROLS, INC.

Suspension of Trading

OCTOBER 8, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Sanitary Controls, Incorporated being

traded on a national securities exchange or otherwise is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from 1:50 p.m. (EDT) on October 8, 1976 through October 17, 1976.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-30303 Filed 10-14-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Act No. 1277]

NEW MEXICO

Declaration of Disaster Area

Sierra County and adjacent counties within the State of New Mexico constitute a disaster area because of damages resulting from flash flooding, rising flood waters and torrential rain on September 14, 1976. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on December 6, 1976, and for economic injury until the close of business on July 5, 1977, at:

Small Business Administration District Office, 5000 Marble Avenue, NE, Patio Plaza Building, Albuquerque, New Mexico 87110.

or other locally announced locations.

LOUIS F. LAURIE,
Acting Administrator.

Date: OCTOBER 5, 1976.

[FR Doc.76-30219 Filed 10-14-76;8:45 am]

SBA TASK FORCE ON VENTURE AND EQUITY CAPITAL

Meeting

The Small Business Administration SBA Task Force on Venture and Equity Capital will hold a meeting on Friday, Oct. 15 at 10:00 a.m. The meeting, to discuss the means of providing venture and equity capital for small business, will be held at the Statler Hilton Hotel, Washington, D.C., Massachusetts Room.

Dated: October 10, 1976.

PETER F. MCNEISH,
Deputy Associate Administrator
for Investment.

[FR Doc.76-30419 Filed 10-14-76;8:45 am]

LAS VEGAS DISTRICT ADVISORY COUNCIL Cancellation of Public Meeting

The Small Business Administration Las Vegas District Advisory Council has cancelled the public meeting scheduled for October 18, 1976, in the Union Plaza Room, 2nd Floor, Union Plaza Hotel, One Main Street, Las Vegas, Nevada, until further notice. For further information write or call Robert S. Garrett, P.O. Box

7527, Las Vegas, Nevada 89101. *702) 385-6611.

Dated: October 13, 1976.

HENRY V. Z. HYDE, Jr.,
Deputy Advocate for
Advisory Councils.

[FR Doc.76-30431 Filed 10-14-76;8:45 am]

VETERANS ADMINISTRATION STATION COMMITTEE ON EDUCATIONAL ALLOWANCES

Meeting

Notice is hereby given pursuant to section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances that on November 15, 1976, at 10:00 a.m., the San Diego Regional Office Station Committee on Educational Allowances shall at 2022 Camino Del Rio North, San Diego, California 92108 conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in The Predischarge Education Program, PREP of College of the Desert, Twenty-nine Palms Marine Corps Base, Twenty-nine Palms, California 92270 should be discontinued, as provided in 38 CFR 21.4134, because a requirement of law is not being met or a provision of the law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the committee at that time and place.

Dated: OCTOBER 5, 1976.

HERBERT R. RAINWATER,
Director, Veterans
Administration Regional Office.
[FR Doc.76-30205 Filed 10-14-76;8:45 am]

DEPARTMENT OF LABOR

Employment and Training Administration FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COM- PENSATION)

Ending of Federal Supplemental Benefit Period in Arizona

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Arizona effective October 16, 1976.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Pub. L. 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the State and the nation reaches the high levels set in the Act.

During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks or 26 weeks, depending upon the level of the rate of insured unemployment in the State. A Federal Supplemental Benefit Period commenced in the State of Arizona on January 5, 1975.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 26 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of Arizona has determined under the Act and 20 CFR 618.19(b) (published in the Federal Register on March 23, 1976, at 41 FR 12151, 12157) that the average rate of insured unemployment in the State for the period consisting of the week ending on September 25, 1976, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the Federal Register on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Arizona for the week ending on September 25, 1976, and that the Federal Supplemental Benefit Period in that State terminates on October 16, 1976.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Arizona Department of Economic Security, of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Arizona should contact the nearest Employment Security Office of the Arizona Department of Economic Security in their locality.

Signed at Washington, D.C., on October 8, 1976.

WILLIAM H. KOLBERG,
Assistant Secretary for
Employment and Training.

[FR Doc.76-30180 Filed 10-14-76;8:45 am]

EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS UNDER RURAL DEVELOPMENT ACT

Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list below. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance of the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.
2. Employment trends in the same industry in the local area.
3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.
4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).
5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such

new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of his notice to:

Deputy Assistant Secretary for Employment and Training, 601 D St., NW., Washington, D.C. 20213.

Signed at Washington, D.C., this 12th day of October 1976.

BEN BURDETTSKY,
Deputy Assistant Secretary
for Employment and Training.

Applications received during the week ending October 8, 1976

Name of applicant	Location of enterprise	Principal product or activity
Patriot Industries, Inc.	Winchendon, Mass.	Manufacture of furniture.
Watchguard Electronics Corp.	Flemington, N.J.	Manufacture of radio and TV communication equipment.
Erio Industries	St. Mary's, Pa.	Manufacture of sintered metals.
TRI-J, Inc.	Fairlea, W. Va.	Restaurant.
American HV Test Systems, Inc. (tenant of Garrett County Development Corp.)	Accident, Md.	Manufacture of high voltage testing equipment.
Nanticoke Public Service Co., Inc. (tenant of city of Nanticoke Industrial Development Authority).	Newport, Pa.	School transportation.
Colleton Enterprises, Inc.	Walterboro, S.C.	Econo travel hotel.
Engineered Steel Products, Inc. (tenant of Gadsden County Industrial Development Authority).	Quincy, Fla.	Manufacture of fabricated structural metal.
Bakatsias Restaurant	Burlington, N.C.	Restaurant services, convention meeting, and dining services.
Cashiers Plastic Corp.	Cashiers, N.C.	Custom manufacture of structural foam plastic.
Coastal Plains Formulators	Pinecard, Ala.	Manufacture of livestock minerals and vitamins.
Mahoney Plastics Corp.	Decatur, Ala.	Manufacture of miscellaneous.
Wedington Plaza, phase II	Pike County, Ky.	General contractor-neuroresidential buildings.
Waccamaw Pottery, Inc.	Myrtle Beach, S.C.	Manufacture of pottery.
LaBounty Manufacturing, Inc.	Two Harbors, Minn.	Manufacture of contractor's grapple.
Dale's IGA Thriftway	Galena, Kans.	Grocery supermarket.
Fallston Communication, Co., Inc. (tenant of the city of Freeman)	Freeman, S. Dak.	Publisher of a trade magazine.
Pacific Marine Co.	San Francisco, Calif.	Commercial fishing.
Vermont American Corp. (tenant of Stephens County Development Authority).	Toccoa, Ga.	Manufacture of cutting tools.

[FR Doc.76-30267 Filed 10-14-76;8:45 am]

FEDERAL SUPPLEMENTAL BENEFITS (EMERGENCY UNEMPLOYMENT COMPENSATION)

Ending of Federal Supplemental Benefit Period in Arkansas

This notice announces the ending of the Federal Supplemental Benefit Period in the State of Arkansas effective October 9, 1976.

BACKGROUND

The Emergency Unemployment Compensation Act of 1974 (Pub. L. 93-572, enacted December 31, 1974) (the Act) created a temporary program of supplementary unemployment benefits (referred to as Federal Supplemental Benefits) for unemployed individuals who have exhausted their rights to regular and extended benefits under State and Federal unemployment compensation laws. Federal Supplemental Benefits are payable during a Federal Supplemental Benefit Period in a State which has entered into an Agreement under the Act with the United States Secretary of Labor. A Federal Supplemental Benefit Period is triggered on in a State when unemployment in the State or in the

State and the nation reaches the high levels set in the Act. During a Federal Supplemental Benefit Period the maximum amount of Federal Supplemental Benefits which are payable to eligible individuals is up to 13 weeks or 26 weeks, depending upon the level of the rate of insured unemployment in the State. A Federal Supplemental Benefit Period commenced in the State of Arkansas on January 5, 1975.

The Act also provides that a Federal Supplemental Benefit Period in a State will trigger off when the rate of insured unemployment in the State averages less than 5.0 percent over a period of thirteen consecutive calendar weeks. The benefit period actually terminates at the end of the third week after the week for which there is an "off" indicator, if the benefit period will have been in effect for a minimum duration of 26 weeks.

DETERMINATION OF "OFF" INDICATOR

The employment security agency of the State of Arkansas has determined under the Act and 20 CFR 618.19(b) (published in the FEDERAL REGISTER on March 23, 1976, at 41 FR 12151, 12157) that the

average rate of insured unemployment in the State for the period consisting of the week ending on September 18, 1976, and the immediately preceding twelve weeks, was less than 5.0 percent.

Therefore, I have determined in accordance with the Act and 20 CFR 618.19(b), and as authorized by the Secretary of Labor's Order 4-75, dated April 16, 1975 (published in the FEDERAL REGISTER on April 28, 1975, at 40 FR 18515), that there was a Federal Supplemental Benefit "off" indicator in the State of Arkansas for the week ending on September 18, 1976, and that the Federal Supplemental Benefit Period in that State terminated on October 9, 1976.

INFORMATION FOR CLAIMANTS

Any individual to whom Federal Supplemental Benefits or Federal-State Extended Benefits were payable in the State (whether or not any payment actually was made), for any portion of the last week of the Federal Supplemental Benefit Period, will have an additional eligibility period beginning immediately following the end of the Federal Supplemental Benefit Period. During the additional eligibility period the individual will be entitled to Federal Supplemental Benefits to the same extent as if the Federal Supplemental Benefit Period continued to be in effect. The additional eligibility period will have a duration of 13 weeks, unless it is terminated sooner by reason of the beginning of a new Federal Supplemental Benefit Period in the State.

Individuals currently filing claims for Federal Supplemental Benefits will receive written notices from the Arkansas Department of Labor of the end of the Federal Supplemental Benefit Period in that State and its effect on their entitlement to Federal Supplemental Benefits. The notice to any individual who will have an additional eligibility period following the Federal Supplemental Benefit Period will include information concerning potential entitlement to Federal Supplemental Benefits during the additional eligibility period.

Although the Federal Supplemental Benefit Period has terminated, an Extended Benefit Period will continue in effect in the State due to the National "on" indicator for the Federal-State Extended Benefit Program, as announced in a notice published in the FEDERAL REGISTER on February 21, 1975, at 40 FR 4722. Therefore, Federal-State Extended Benefits will continue to be payable to eligible individuals in the State.

Persons who wish information about their rights to Federal Supplemental Benefits or Federal-State Extended Benefits in the State of Arkansas should contact the nearest Employment Office of the Arkansas Department of Labor in their locality.

Signed at Washington, D.C., on October 12, 1976.

WILLIAM H. KOLBERG,
Assistant Secretary for
Employment and Training.

[FR Doc.76-30292 Filed 10-14-76; 8:45 am]

Occupational Safety and Health Administration

NATIONAL ADVISORY COMMITTEE ON OCCUPATIONAL SAFETY AND HEALTH Meeting

Notice is hereby given that the Subgroups on Standards and Policy/Budget of the National Advisory Committee on Occupational Safety and Health (NACOSH) will meet November 4 and 5, 1976 in Room N-3437, Department of Labor Building, 3rd Street and Constitution Avenue, NW., Washington, D.C. 20210.

The National Advisory Committee was established under section 7(a) of the Occupational Safety and Health Act of 1970 to advise the Secretary of Labor and the Secretary of Health, Education, and Welfare on matters relating to the administration of the Act.

The meeting will begin at 2 p.m. on November 4 and will last until approximately 6 p.m. The meeting will continue at 9 a.m. on November 5. The public is invited to attend. The Subgroups will continue their discussion of the Presidential Task Force's recommendations on an approach to Revising Safety Standards.

For additional information contact:

J. Goodell, Chief, Committee Management Office, National Advisory Committee on Occupational Safety and Health, Department of Labor-OSHA, Room N-3635, Third Street and Constitution Avenue, NW., Washington, D.C. 20210, Phone (202) 523-8024.

Any written data or views concerning these agenda items or suggestions for future agenda items which are received by the Committee Management Office before the meeting, preferably with 20 copies, will be presented to the Subgroups and included in the official record of the meeting.

Anyone wishing to make an oral presentation should notify the Committee Management Office before the meeting. The request should state the amount of time desired, the capacity in which the person will appear, and a brief outline of the content of the presentation. Oral presentations will be scheduled at the discretion of the Subgroup Chairmen, depending on the extent to which time permits.

Official records of the meeting will be available for public inspection at the above address.

Signed at Washington, D.C., this 8th day of October 1976.

J. GOODSELL,
Executive Secretary.

[FR Doc.76-30293 Filed 10-14-76; 8:45 am]

FEDERAL ADVISORY COUNCIL ON OCCUPATIONAL SAFETY AND HEALTH Meeting

Notice is hereby given that the Federal Advisory Council on Occupational Safety and Health, established under Section 3(a) of Executive Order 11612 of July 26, 1971 and continued under Executive Order 11807 of September 28, 1974

(39 FR 35559), Occupational Safety and Health Programs for Federal Employees, will meet on Wednesday, November 3, starting at 9:30 a.m., in Room S4215 ABC, New Department of Labor Building, 200 Constitution Avenue, N.W., Washington, D.C. The meeting will be open to the public.

The agenda provides for:

I. New appointments and reappointments of Council Members.

II. Election of Vice Chairman.

III. Proposed Amendment to 29 CFR Part 1960, final review and approval of § 1960.20 Agency Safety and Health Training Guidelines.

IV. Review and approval of addition to 29 CFR Part 1960, draft of proposed new subpart G—Evaluation Criteria for Federal Agency Occupational Safety and Health Programs.

V. Reports on:

A. Committee to review House Report on Safety in the Federal Workplace—Final Report.

B. Standing Committee on Federal Safety and Health Conferences—Highlights of the 31st Annual Conference in Chicago and status of the regional conferences scheduled for 1977.

VI. Discussion on Civil Liability of Government Employees.

The Council welcomes written data, views or comments concerning safety and health programs for Federal employees, including comments on the agenda items. All such submissions together with 20 copies thereof, received by the close of business November 1, will be provided to members of the Council and included in the record of the meeting.

The Council will consider oral presentations relating to agenda items. Persons wishing to orally address the Council at the meeting should submit a written request to be heard, together with 20 copies thereof by close of business October 29. The request must include the name and address of the person wishing to appear, the capacity in which appearance will be made, a short summary of the intended presentation and an estimate of the amount of time needed.

All communications regarding this Advisory Council should be addressed to Mr. Walter J. Mason, Executive Director, FACOSH, First Floor, Department of Labor, OSHA, 2100 M Street, N.W., Washington, D.C., 20210, telephone (202) 653-5500.

Signed at Washington, D.C., this 18th day of October 1976.

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc.76-39493 Filed 10-14-76; 8:45 am]

Office of the Secretary [TA-W-1,031]

BERGMAN KNITTING MILLS

Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on August 13, 1976 in response to a worker petition received on that date

which was filed by Local 190 of the International Ladies' Garment Workers' Union on behalf of former workers producing sweaters at Bergman Knitting Mills, Philadelphia, Pennsylvania.

Notice of the investigation was published in the *FEDERAL REGISTER* on September 17, 1976 (41 FR 40243). No public hearing was requested and none was held.

During the course of the investigation, it was established that all workers of Bergman Knitting Mills were previously certified eligible to apply for adjustment assistance on November 16, 1975 (See TA-W-166).

The existing certification will expire on November 16, 1977 unless terminated by the Secretary of Labor. Since workers newly separated, totally or partially, are covered by the existing certification provided such separations occurred on or after the impact date (October 3, 1974) and before the certification expiration date (November 16, 1977), a new investigation would serve no purpose; consequently the investigation has been terminated.

Signed at Washington, D.C. this 1st day of October 1976.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.76-30181 Filed 10-14-76;8:45 am]

[TA-W-934]

CROMPTON AND KNOWLES CORP.

Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-934: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on June 10, 1976 in response to a worker petition dated May 25, 1976 which was filed by former workers at the Grand Street, Worcester, Massachusetts Textile Machinery plant of Crompton and Knowles Corporation.

The notice of investigation was published in the *FEDERAL REGISTER* on July 6, 1976 (41 FR 27801). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Crompton and Knowles Corporation, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation has revealed that all four of the above criteria have been met by workers engaged in employment related to the production of castings and power loom parts. Furthermore, the investigation has revealed that criteria (2), (3), and (4) have not been met by workers engaged in employment related to the production of automotive parts.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Employment of production and maintenance workers at the Grand Street, Worcester, Massachusetts plant decreased 40.3 percent in 1975 compared to 1974. The first half of 1976 registered an increase of 29.0 percent in employment of all production and maintenance workers compared to the first half of 1975.

Employment of salaried workers at the Grand Street, Worcester, Massachusetts plant decreased 28.5 percent in 1975 compared to 1974 and 17.5 percent in the first half of 1976 compared to the first half of 1975. Various salaried employees were transferred to the corporation's Charlotte, North Carolina office in 1976.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales and production of power looms manufactured by Crompton and Knowles Corporation, Textile Machinery Group, Weaving Division, decreased 66.2 percent in quantity and 58.4 percent in value from 1974 to 1975. Sales and production of power looms, in quantity, declined 0.9 percent; while sales, in value, increased 52.3 percent in the first half of 1976 compared to the first half of 1975.

Production of castings at the Grand Street, Worcester, Massachusetts plant of Crompton and Knowles Corporation decreased 55.6 percent in quantity and 11.3 percent in value from 1974 to 1975. Production of castings increased 499.0 percent in quantity and 100.0 percent in value in the first half of 1976 compared to the first half of 1975.

Sales of power loom parts by the Weaving Division decreased 3.2 percent in 1975 compared to 1974 and increased 1.7 percent in the first half of 1976 compared to the first half of 1975.

Production of power loom parts by the Weaving Division, Textile Machinery Group of Crompton and Knowles decreased 51.1 percent in value in 1975 compared to 1974. Production of power loom parts increased 107.7 percent in value in the first half of 1976 compared to the first half of 1975.

Sales of automotive parts by the Grand Street, Worcester, Massachusetts plant of Crompton and Knowles Corporation increased 6.2 percent in value from 1974 to 1975 and increased 34.5 percent in value in the first half of 1976 compared to the first half of 1975.

INCREASED IMPORTS

Automotive parts manufactured by the Grand Street, Worcester, Massachusetts plant of Crompton and Knowles are unique to one automotive customer. The sole automotive customer does not import these automotive parts.

Imports of power looms increased from 1,817 units for the first half of 1975 to 2,994 units for the first half of 1976, an increase of 64.8 percent.

Average industry lead time is approximately 9 months from order receipt to shipment of completed power loom. Therefore, orders lost to foreign manufacturers after the first quarter of 1975 would result both in a production decline in 1975 and an increase in imports of completed power looms in early 1976.

CONTRIBUTED IMPORTANTLY

The evidence developed during the Department's investigation indicates that imports of power looms have increased in recent months. Purchases by the Weaving Division, Crompton and Knowles Corporation of power loom parts represent a substantial quantitative portion (ninety percent) of the Grand Street, Worcester, Massachusetts plant's total production of power loom parts. Those power loom parts acquired by the Weaving Division are either assembled into finished power looms that carry the Crompton and Knowles label or are sold as repair parts for old Crompton and Knowles looms. Due to the fact that the Worcester plant participates in an integrated production process where the end product is a power loom, imports of power looms are considered to be more indicative of the influence of imports upon production and employment at the Grand Street, Worcester, Massachusetts plant, than are imports of power loom parts.

Customers of the Weaving Division, Crompton and Knowles Corporation indicated that they had increased their orders of foreign-made power looms in 1975 compared to 1974, while reducing their orders of power looms from Crompton and Knowles for the same period.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with the power loom parts produced at the Grand Street, Worcester, Massachusetts plant of Crompton and Knowles Corporation, contributed importantly to the total or partial separations of the workers of that plant who are engaged in employment related to the production of castings and power loom parts. In accordance with the provisions of the Act, I make the following certification:

All workers at the Grand Street, Worcester, Massachusetts plant of Crompton and

Knowles Corporation engaged in the production of castings and power loom parts who became totally or partially separated from employment on or after May 25, 1975 and before January 1, 1976 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974. All workers who became separated on or after January 1, 1976 are denied adjustment assistance.

I further conclude that increases of imports of articles like or directly competitive with the automotive parts produced at the Grand Street, Worcester, Massachusetts plant of Crompton and Knowles Corporation did not contribute importantly to the total or partial separations of the workers at such plant as required in section 222 of the Trade Act of 1974.

Signed at Washington, D.C. this 1st day of October 1976.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary
for International Affairs.

[FR Doc.76-30182 Filed 10-14-76;8:45 am]

[TA-W-1088]

DRAGGER "BRANT"

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On September 17, 1976 the Department of Labor received a petition dated August 10, 1976 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Dragger "Brant", Walpole, Maine (TA-W-1,088). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the shrimp caught by Dragger "Brant" or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 25, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 25, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 23rd day of September 1976.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.76-30183 Filed 10-14-76;8:45 am]

[TA-W-1014]

INDIANA GENERAL ELECTRO-MECHANICAL PRODUCTS

Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on August 6, 1976 in response to a worker petition received on that date which was filed on behalf of office and technical personnel at the Indiana General Electro Mechanical Products plant in Oglesby, Illinois.

The Notice of the investigation was published in the FEDERAL REGISTER on August 17, 1976 (41 FR 34838). No public hearing was requested and none was held.

During the course of the investigation, it was established that all workers of the Oglesby plant were previously certified as eligible to apply for adjustment assistance on September 27, 1976 (See TA-W-959).

The existing certification will expire on September 27, 1978 unless terminated by the Secretary of Labor. Since workers newly separated, totally or partially, are covered by the existing certification provided such separations occurred on or after the impact date (June 3, 1975) and before the certification expiration date (September 27, 1978), a new investigation would serve no purpose; consequently the investigation has been terminated.

Signed at Washington, D.C., this 1st day of October 1976.

MARVIN M. FOOKS,
Director, Office of
Trade Adjustment Assistance.

[FR Doc.76-30185 Filed 10-14-76;8:45 am]

[TA-W-983]

INTERNATIONAL FIELD DATA CORP.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-

W-989: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on July 16, 1976 in response to a worker petition dated June 20, 1976 which was filed on behalf of workers and former workers assembling data on petroleum fields for International Field Data Corporation, Houston, Texas.

The notice of investigation was published in the FEDERAL REGISTER on July 30, 1976 (41 FR 31959). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of International Field Data Corporation, Petroconsultants, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

If any of the above criteria is not satisfied, a negative determination must be made.

The Department has already determined that the performance of services is not included within the term "articles" as used in section 222(3) of the Act. See Notice of Negative Determination in Pan American World Airways, Incorporated (TA-W-153, 40 FR 54639).

The facts obtained in the investigation of this petition clearly show that International Field Data Corporation performed the service of gathering and distilling data on petroleum fields, on a contract basis, for a publisher of petroleum data.

After a careful review of the issues, I have determined that services of the kind provided by International Field Data Corporation, Houston, Texas, are not "articles" within the meaning of section 222(3) of the Trade Act of 1974.

Signed at Washington, D.C., this 1st day of October 1976.

JAMES F. TAYLOR,
Director, Office of Management
Administration and Planning.

[FR Doc.76-30188 Filed 10-14-76;8:45 am]

[TA-W-1,093]

KAISER REFRACTORIES**Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance**

On September 23, 1976 the Department of Labor received a petition dated September 3, 1976 which was filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Kaiser Refractories, Natrona, Pennsylvania, a division of Kaiser Aluminum and Chemical Corp., Oakland, California (TA-W-1,093). Accordingly, the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with the production of refractories and the performance of services for Allegheny Ludlum by Kaiser Refractories or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 25, 1976.

Interested persons are invited to submit written comments regarding the subject matter of this investigation to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 25, 1976.

The petition filed in this case is available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 23rd day of September 1976.

MARVIN M. FOOKS,
Director, Office of Trade
Adjustment Assistance.

[FR Doc.76-30187 Filed 10-14-76;8:45 am]

[TA-W-1058]

KENOSHA AUTO TRANSPORT CORP.**Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-1058: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on August 31, 1976 in response to a worker petition received on that date which was filed by the General Teamsters Union Local 654, on behalf of workers and former workers at the Springfield, Ohio terminal of Kenosha Auto Transport Corporation a subsidiary of Jupiter Corporation, Chicago, Illinois, who were engaged in providing the service of delivering new trucks to dealers.

The notice of investigation was published in the FEDERAL REGISTER on September 10, 1976 (41 FR 38566). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Kenosha Auto Transport Corporation and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in that workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separation, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

If any one of the above criteria is not satisfied a negative determination must be made.

Kenosha Auto Transport Corporation does not produce an article within the meaning of section 222(3) of the Act and this Department has already determined that the performance of services are not covered by the adjustment assistance program. See Notice of Determination in Pan American World Airways, Incorporated (TA-W-153, 40 FR 54639). The only question presented in this case is whether International Harvester Company, i.e., a firm which produces an arti-

cle, namely pickup trucks, and for whom the service is provided, can be considered the "workers' firm". The Department has also previously determined that an independent firm for which such services are provided cannot be considered the "workers' firm". See Notice of Determination in Nu-Car Driveway, Inc. (TA-W-393, 41 FR 12749).

Kenosha Auto Transport Corporation is a transport business incorporated in the state of Wisconsin and licensed and regulated by the state and the Interstate Commerce Commission. Kenosha Auto Transport competed for available business with other carriers in the Springfield, Ohio area and each was free to haul for any business requesting their services.

Neither International Harvester, on the one hand, nor Kenosha Auto Transport, on the other, is financially or otherwise involved in the business of the other. Kenosha Auto Transport either owns or leases the facilities necessary to the operation of its business and owns or leases all its trucks and equipment.

The workers upon whose behalf this petition was filed were hired and are paid by Kenosha Auto Transport Corporation. They are supervised by and subject to the control of Kenosha Auto Transport personnel only. All employment benefits which they enjoy are provided and maintained by Kenosha Auto Transport.

CONCLUSION

After careful review of the issues and facts involved, I have determined that services of the kind provided by Kenosha Auto Transport Corporation, Springfield, Ohio, are not "articles" within the meaning of section 222(3) of the Trade Act of 1974, and that International Harvester Company cannot be considered the "workers' firm." The petition for trade adjustment assistance is, therefore, denied.

Signed at Washington, D.C. this 1st day of October 1976.

JAMES F. TAYLOR,
Director, Office of Management,
Administration and Planning.

[FR Doc.76-30188 Filed 10-14-76;8:45 am]

[TA-W-969]

STRIDE RITE MANUFACTURING CORP.**Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-969; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on June 30, 1976 in response to a worker petition received on that date which was

filed on behalf of workers and former workers producing children's footwear at the Hiatt Shoe plant, Lawrence, Massachusetts of the Stride Rite Manufacturing Corporation, Boston, Massachusetts.

The notice of investigation was published in the FEDERAL REGISTER (41 FR 29520) on July 16, 1976. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Stride Rite Manufacturing Corporation, its customers, the American Footwear Industries Association, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales or production, or both of such firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The Department's investigation revealed that although the second and third criteria have been met, the first and fourth criteria have not been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

From 1974 to 1975, the average number of production workers at the Hiatt Shoe plant increased 0.8 percent, and average weekly hours increased 2.8 percent. In the first half of 1976 employment and weekly hours were 11.7 percent and 7.5 percent above respective levels in the same period of 1975.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Production at the Hiatt Shoe plant declined in quantity by 3.6 percent from 1973 to 1974 and by 0.3 percent from 1974 to 1975. In the first half of 1976 plant production was 24.8 percent above that in the like period of 1975.

INCREASED IMPORTS

Imports of nonrubber footwear for infants and babies declined in volume each year from 1972 through 1974 and then increased in 1975 over 1974. Imports rose in volume in the first quarter of 1976 compared to the like period in 1975.

Imports of children's nonrubber footwear decreased in volume each year from 1972 through 1975 and increased in the

first quarter of 1976 compared to the same period in 1975.

Imports of nonrubber footwear for youth and boys decreased in volume each year from 1972 through 1974 and rose in 1975 over 1974. Imports increased in volume in the first quarter of 1976 compared to the like period of 1975.

Imports of misses' nonrubber footwear declined in volume each year from 1972 through 1975 and increased in the first quarter of 1976 compared to the same period in 1975.

CONTRIBUTED IMPORTANTLY

A survey of customers who bought children's footwear from the Stride Rite Manufacturing Corporation indicated that those customers who reduced their purchases from Stride Rite did not switch to imports. Customers indicated that Stride Rite's footwear had higher quality than and, was generally price competitive with imports.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with the children's footwear produced at the Hiatt Shoe plant, Lawrence, Massachusetts of the Stride Rite Manufacturing Corporation did not contribute importantly to the total or partial separations of the workers at such plant.

Signed at Washington, D.C. this 2nd day of October 1976.

JAMES F. TAYLOR,
Director, Office of Management,
Administration and Planning.

[FR Doc.76-30184 Filed 10-14-76; 8:45 am]

[TA-W-1000]

MURPHY'S WHOLESALE TAILORS

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-1000: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

The investigation was initiated on July 27, 1976 in response to a worker petition received on July 27, 1976 which was filed on behalf of workers and former workers producing men's and women's suits and uniforms at Murphy's Wholesale Tailors, New Orleans, Louisiana. The Department's investigation revealed that Murphy's Wholesale Tailor's produced only men's custom tailored suits. The notice of investigation was published in the FEDERAL REGISTER on August 6, 1976 (41 FR 32926). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Murphy's Wholesale Tailors, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm, or an appropriate subdivision thereof, have become totally or partially separated, or are threatened to become totally or partially separated;

(2) That sales, production or both, of the firm or subdivision have decreased absolutely;

(3) That articles like or directly competitive with those produced by the firm or subdivision are being imported in increased quantities, either actual or relative to domestic production; and

(4) That such increased imports have contributed importantly to the separations, or threat thereof, and to the decrease in sales or production. The term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

The investigation revealed that the fourth criteria has not been met.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Employment of production workers declined 4 percent from 1973 to 1974, and declined 15 percent from 1974 to 1975. In the first six months of 1976, employment declined 5 percent compared to the first six months of 1975. The average number of hours worked were not available for 1973. The average number of hours worked declined 12 percent from 1974 to 1975. In the first six months of 1976, the average number of hours worked declined 12 percent compared to the first six months of 1975. Murphy's has been operating on a part-time basis, less than 40-hour work week, for the past five years.

Salaried employment remained stable from 1973 to 1974 and then declined 33 percent from 1974 to 1975. Salaried employment did not change in the first six months of 1976 compared to the first six months of 1975. Salaried employees work a constant 35 hour week.

Labor turnover data is not maintained by the company.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales are equivalent to production, since production is based on orders received.

Production of custom made men's suit coats declined 18 percent in quantity from 1973 to 1974 and declined 28 percent in quantity from 1974 to 1975. In the first six months of 1976, the quantity of men's suit coats produced declined 20 percent compared to the first six months of 1975.

Production of men's customized suit vests declined 13 percent in quantity from 1973 to 1974, and then increased 10 percent from 1974 to 1975. In the first six months of 1976, the quantity of vests produced increased 52 percent compared to the first six months of 1975.

INCREASED IMPORTS

Imports of men's made-to-measure tailored suits and sportcoats are not separately identified in the Tariff Schedules of the United States, but are included with the aggregate data on imports of men's tailored suits and sportcoats.

Imports of men's tailored suits increased absolutely and relatively in each year from 1971 through 1975, and then declined relatively from the first half of 1975 to the first half of 1976. The ratios of imports of men's tailored suits to domestic production and consumption declined from 24.68 percent and 19.79 percent, respectively, in the first half of 1975 to 21.39 percent and 17.62 percent, respectively, in the first half of 1976.

CONTRIBUTED IMPORTANTLY

Industry experts believe that imports of men's custom tailored apparel account for a negligible portion of total men's apparel. Imports of men's tailored suits, which are predominantly ready-to-wear suits, have not had an impact on sales of custom made clothing by Murphy's Wholesale Tailors. All of Murphy's customers are small tailor shops which sell made-to-measure men's apparel. Customers reduced orders from Murphy's in 1975 and in 1976 as a result of decreased consumer demand for such apparel associated with general economic conditions and with shifts in consumer preferences away from the tailored look. None of Murphy's customers purchase imports of made-to-measure or ready-to-wear suits.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's custom-made suits produced at Murphy's Wholesale Tailors, New Orleans, Louisiana did not contribute importantly to the total or partial separations of the workers at that plant.

Signed at Washington, D.C. this 1st day of October 1976.

JAMES F. TAYLOR,
Director, Office of Management,
Administration and Planning.

[FR Doc.76-30189 Filed 10-14-76;8:45 am]

SECRETARY'S COMMITTEE ON
VETERANS' AFFAIRS

Meeting

Announcement is made of the following Committee meeting:

Name: Department of Labor Secretary's Committee on Veterans' Affairs.

Date: October 19, 1976.

Place: Secretary's Conference Room S2508 (South Wing), New Department of Labor Building, 200 Constitution Avenue, N.W., Washington, D.C.

Time: 4:00 p.m.

Proposed agenda: Report on appointment of Special Assistant to the Under Secretary for Veterans' Affairs. Overview of veterans'

employment, reemployment and unemployment programs. Review new veterans regulations and standards. Statistical report on veterans activities.

Purpose of meeting: The Committee will review the Secretary's order appointing a Special Assistant to the Under Secretary for Veterans' Affairs, receive reports on veterans' employment, reemployment and unemployment programs; discuss the new regulations and standards pertaining thereto; and receive a statistical report on veterans' activities.

Meeting of the Secretary's Committee on Veterans' Affairs is open to the public.

All communications regarding this Committee should be addressed to Mr. Ralph E. Hall, Special Assistant to the Under Secretary for Veterans' Affairs, Room 8400 Patrick Henry Building, 601 D Street, NW., Washington, D.C. 20213.

Signed at Washington, D.C., this 12th day of October 1976.

RALPH E. HALL,
Special Assistant to the Under
Secretary for Veterans' Affairs.

[FR Doc.76-30294 Filed 10-14-76;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[Application No. L-502]

EMPLOYEE BENEFIT PLANS

Pendency of Exemption Relating to a Transaction Involving the Wisconsin Operating Engineers Skill Improvement and Apprenticeship Fund and Griese-Ross Construction Company, Inc.

Notice is hereby given of the pendency before the Department of Labor (the Department) of a proposed exemption from the restrictions of section 406(a) of the Employee Retirement Income Security Act of 1974 (the Act). The pending exemption was requested in an application filed by the Board of Trustees (Trustees) of the Wisconsin Operating Engineers Skill Improvement and Apprenticeship Fund (the Plan) for the construction of a new training center at Coloma, Wisconsin, by Griese-Ross Construction Company, Inc. (Griese-Ross), a contributing employer.

The application was filed pursuant to section 408(a) of the Act and in accordance with the procedure set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975).

Summary of Representations. The application contains representations with regard to the pending exemption which are summarized below. Interested persons are referred to the application on file with the Department for the complete representations of the Trustees.

The Plan provides training opportunities to apprentices and skill improvement opportunities to members of Local 139 of the International Union of Operating Engineers, whose jurisdiction covers the State of Wisconsin.

Currently the Plan conducts its training program in the Milwaukee area at a site known as the Jaeger Pit. Continued use of this site is in jeopardy because of

zoning problems. There is a possibility that training and classroom activities at the Jaeger Pit site will be terminated upon short notice, causing substantial relocation expenses and loss of the training program for an indeterminate period of time. In addition, approximately two-thirds of the participants are from outside the Milwaukee metropolitan area and must travel great distances to use the Milwaukee area site for training.

To alleviate the above existing and potential problems, the Plan acquired two adjoining parcels of land for a training site near Coloma, Wisconsin, which is located in the central part of the State. The Trustees anticipate that the Coloma training site will be within a short traveling distance for approximately 75 percent of the participants of the Plan. The proposed training center will consist of a multi-purpose structure for office, classrooms, and storage facilities for various items of machinery and equipment.

The Plan's training director and the Trustees developed the initial specifications for the training center, advertised the Plan's intent to build in several trade journals, and received expressions of interest from six construction firms. The Trustees selected Enterprise Engineering Corporation (Enterprise), of Peshtigo, Wisconsin—an architectural-engineering firm engaged principally in commercial projects—to prepare the final architectural drawings, develop the final specifications, supervise and administer the bidding process, open and evaluate the bids, and conduct an end of construction inspection to determine the contractor's compliance with all specifications. Enterprise has no present or prior business relationship with the Plan, the Trustees, or the bidders. The final specifications and bid forms were distributed by Enterprise to ten potential bidders (including the six firms that had expressed an interest) and to three builder exchange offices in Wisconsin. Enterprise estimated that the Project would cost \$185,000. The plan received two bids, of \$196,300 and \$138,895, respectively.

Both bidders are parties in interest with respect to the Plan solely because they are contributing employers. Neither bidder employs any of the Trustees or their relatives and none of the Trustees has any financial relationship with the bidders or with any of their principals. The contract will be awarded to the lower bidder, Griese-Ross. During the course of construction, no employee of Griese-Ross will become a trustee of the Plan and no Trustee or relative of any Trustee will have any financial relationship with Griese-Ross. Griese-Ross currently employs eight operating engineers who are members of Local 139. The Plan has 6000 participants. None of the three subcontractors Griese-Ross will use for the project is a party in interest with respect to the Plan. The obligation of the Trustees to pay Griese-Ross the bid price will be conditioned upon compliance by Griese-Ross with all the specifications contained in the construction contract between the Plan and Griese-Ross.

On May 31, 1976, the Plan had total assets of \$419,911.09 and total liabilities of \$72,718.66. As a result of collective bargaining agreements effective June 1, 1976, employer contributions increased from 5¢ per hour to 10¢ per hour, which the Trustees anticipate will increase the annual employer contributions by a sum in excess of \$125,000.00. The contribution rate was increased to enable the Trustees to improve the training program and to develop a new training facility.

Notice of this proposed exemption as published in the FEDERAL REGISTER will be given by posting copies in the office of Local 139 of the International Union of Operating Engineers, located in Milwaukee, Wisconsin, and in its District Offices located in the cities of Eau Claire, Madison, and Appleton for at least thirty (30) days beginning within five (5) days after publication of the notice in the FEDERAL REGISTER. Also, copies of the proposed exemption will be mailed to the employer associations which are parties to the trust agreement creating and governing the Plan within five (5) days after publication of the notice in the FEDERAL REGISTER.

General Information: The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act does not relieve a fiduciary or other party in interest with respect to a plan to which the exemption is applicable from certain other provisions of the Act, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act which, among other things, require a fiduciary to discharge his duties respecting the plan solely in the interests of the plan's participants and beneficiaries and in a prudent fashion in accordance with section 404(a) (1) (B) of the Act.

(2) The requested exemption, if granted, will not extend to transactions prohibited under section 406(b) of the Act;

(3) Before an exemption may be granted under section 408(a) of the Act, the Department must find that the exemption is administratively feasible, in the interests of the Plan and of its participants and beneficiaries, and protective of the rights of participants and beneficiaries of such Plan; and

(4) The pending exemption, if granted, is supplemental to, and not in derogation

of, any other provisions of the Act, including statutory exemptions and transitional rules. Furthermore, the fact that a transaction is the subject of an exemption is not dispositive of whether the transaction would have been a prohibited transaction in the absence of such exemption or, though it would have been a prohibited transaction, is exempt by operation of a statutory exemption or a transitional rule.

All interested persons are invited to submit written comments on the pending exemption contained herein. In order to receive consideration, such comments must be received by the Department on or before November 20, 1976.

All written comments (preferably six copies) should be addressed to Pension and Welfare Benefit Programs, Office of Regulatory Standards and Exceptions, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20216; Attention: Application No. L-502. The application for exemption referred to herein and all such comments relating thereto will be available for public inspection at the Public Documents Room of Pension and Welfare Benefit Programs, Room N-4677, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20216.

Pending Exemption. Based upon the application, hereinabove described, the Department has under consideration the granting of the requested exemption, under authority of section 408(a) of the Act in accordance with the procedure set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975) whereby the restrictions of section 406(a) shall not apply to the construction of a new training center at Coloma, Wisconsin, by Griese-Ross pursuant to the terms, conditions, and representations set forth in the application.

The pending exemption, if granted, will be subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to the exemption.

Signed at Washington, D.C., this 13th day of October 1976.

WILLIAM J. CHADWICK,
Acting Administrator of Pension and Welfare Benefit Programs.

[FR Doc.76-30513 Filed 10-14-76;9:36 am]

ADVISORY COMMITTEE ON WOMEN TO THE SECRETARY OF LABOR

Meeting

It is hereby announced that a meeting will be held by the Advisory Committee on Women to the Secretary of Labor, established under Sec. 9(c) of the Federal Advisory Committee Act (Public Law 92-463).

The meeting will convene at 9:00 a.m. on October 27, 1976, in Conference Room N-4437 at the New Department of Labor Building, 200 Constitution Ave., N.W., Washington, D.C. It will be reconvened at 9:00 a.m. on October 28, in the same conference room.

The agenda will include presentations and discussions of Department of Labor programs; issues of concern to women workers; review of agenda; statement of purpose; committee priorities; organization and procedures; developing of work program and priorities.

Members of the public are invited to attend the discussions. Any written data or views pertaining to the agenda must be received on or before October 20, 1976 by the Committee's executive secretary. Twenty-five duplicate copies are needed for the members and for inclusion in the minutes of the meeting.

Persons wishing to address the Committee members during the meeting should submit to the executive secretary no later than October 20, 1976, a request to be heard, stating the nature of their intended presentation and the amount of time needed. The chairperson will announce at the beginning of the meeting the extent to which time will permit the granting of such requests.

Communications to the executive secretary should be addressed as follows:

Mercedes H. Flores, Executive Secretary, Advisory Committee on Women to the Secretary of Labor, Department of Labor, Room S-3092, 200 Constitution Ave. N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 4th day of October 1976.

NOTE.—This document originally appeared at 41 FR 44904, October 13, 1976, and is republished here without change.

CARMEN R. MAYMI,
Director, Women's Bureau and
Executive Chairperson, Advisory Committee on Women to the Secretary of Labor.

[FR Doc.76-30177 Filed 10-12-76;10:00 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice No. 169]

ASSIGNMENT OF HEARINGS

OCTOBER 12, 1976.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

- MC 114633 (Sub-No. 343), Bankers Dispatch Corporation, now being assigned pre-hearing conference November 15, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.
- MC 19157 (Sub 20), McCormack's Highway Transportation Inc., MC 126904 (Sub 15), H. C. Parrish Truck Service, Inc., MC 125433 (Sub 68), F-B Truck Line Co., MC 124947 (Sub 46), Machinery Transports, Inc., MC 119777 (Sub 326), Ligon Specialized Hauler, Inc., MC 13123 (Sub 83), Wilson Freight Co., MC 117574 (Sub 267), Daily Express, Inc., MC 116915 (Sub 25), Eck Miller Transportation Corp., MC 83539 (Sub 418), MC 115554 (Sub 14), Scott's Transportation Service, Inc., MC 114211 (Sub 256), Warren Transport, Inc., MC 113855 (Sub 337), International Transport, Inc., MC 112304 (Sub 104), Ace Doran Hauling & Rigging Co., MC 111545 (Sub 218), Home Transportation Co., Inc. now assigned November 10, 1976 at St. Louis, Missouri and will be held in Courtroom 3, 5th Floor, U.S. Courthouse and Customs, 1114 Market Street.
- MC 138926 (Sub 5), Gencom, Inc. now assigned November 2, 1976 at Kansas City, Missouri and will be held in Room 609, Federal Office Building, 911 Walnut Street.
- MC 133655 (Sub 89), Trans-National Truck, Inc. now assigned November 3, 1976 at Kansas City, Missouri and will be held in Room 609, Federal Office Building, 911 Walnut Street.
- MC 135197 (Sub 8), Leaser Transportation, Inc. now assigned November 4, 1976 at Kansas City, Missouri and will be held in Room 609, Federal Office Building, 911 Walnut Street.
- MC 142060 (Sub 1), Nash Trucks, Inc. now assigned November 5, 1976 at Kansas City, Missouri and will be held in Room 609, Federal Office Building, 911 Walnut Street.
- MC 110563 (Sub 175), Coldway Food Express, Inc. now assigned November 8, 1976 at St. Louis, Missouri and will be held in Courtroom 3, 5th Floor, U.S. Courthouse and Customs, 1114 Market Street.
- MC 119741 (Sub 59), Green Field Transport Co., Inc. now being assigned November 8, 1976 (1 day) at St. Louis, Missouri and will be held in Courtroom 3, 5th Floor, U.S. Courthouse and Customs, 1114 Market Street.
- MC 123407 (Sub 294), Sawyer Transport, Inc. now assigned November 9, 1976 at St. Louis, Missouri and will be held in Courtroom 3, 5th Floor, U.S. Courthouse and Customs, 1114 Market Street.
- MC 109448 (Sub 20), Parker Transfer Company, MC 108341 (Sub 41), Moss Trucking

- Co., MC 108119 (Sub 46), E. L. Murphy Trucking Co., MC 107446 (Sub 9), Underwood Machinery Transport, Inc., MC 106497 (Sub 128), Parkhill Truck Company, MC 106644 (Sub 216), Superior Trucking Company, Inc., MC 105045 (Sub 59), R. L. Jeffries Trucking Co., Inc., MC 87103 (Sub 20), Miller Transfer and Rigging Co., MC 66886 (Sub 48), Belger Cartage Service, Inc., MC 61592 (Sub 380), Jenkins Truck Line, Inc., MC 29886 (Sub 328), Dallas & Mavis Forwarding Co., Inc., MC 29079 (Sub 84), Brada Miller Freight System, Inc., MC 19945 (Sub 54), Behnken Truck Service, Inc., MC 138144 (Sub 8), Fred Olson Co., Inc. now assigned November 10, 1976 at St. Louis, Missouri and will be held in Courtroom 3, 5th Floor, U.S. Courthouse and Customs, 1114 Market Street.
- MC-C-9128, Texas Bus Lines, Data Processing Maintenance, Inc., d/b/a Luxury Coaches, and Susan D. Charba, d/b/a Wholesale Travel and Tours—Investigation of Operations and Revocation of Certificates, now being assigned November 30, 1976 (1 day) at Dallas, Texas; in a hearing room to be later designated.
- MC 121006 (Sub-No. 2), Gadsden Truck Lines, Inc., now assigned October 18, 1976, at Birmingham, Ala. is canceled and application dismissed.
- MC 56640 (Sub-No. 35), Delta Lines, Inc., now assigned November 8, 1976 at San Francisco, California; hearing canceled and the application dismissed.
- MC 136343 (Sub 65), Milton Transportation, Inc. now assigned November 8, 1976 at Columbus, Ohio and will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.
- MC-C 8754, Price Hill Coach Line, Inc. v. Megacity Transit Lines, Inc. now assigned November 9, 1976 at Columbus, Ohio and will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.
- MC 123255 (Sub 72), B & L Motor Freight, Inc. now assigned November 10, 1976 at Columbus, Ohio and will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.
- MC 107295 (Sub 812), Pre-Fab Transit Co. now assigned November 11, 1976 at Columbus, Ohio and will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.
- MC 136277 (Sub 3), Priority Freight Systems, Inc. now assigned November 2, 1976 at Columbus, Ohio and will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.
- MC 105568 (Sub 121), Sam Tanksley Trucking, Inc. now assigned November 12, 1976 at Columbus, Ohio and will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.
- MC 141608 (Sub 1), Alert Trucking, Inc. now assigned November 4, 1976 at Columbus, Ohio and will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.
- FF-C 62, Rail Van, Inc., Freight Handlers, Inc., Fouty Freight, Inc., Trailer Train, Inc., Trans-Rail, Inc., Lee Lydic and Robert Marden—Investigation of Operations now assigned November 1, 1976 at Columbus, Ohio and will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.
- MC 19227 (Sub-No. 227), Leonard Bros. Trucking Co., Inc., now assigned October 19, 1976, at Washington, D.C. is postponed to December 13, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 30324 Filed 10-14-76; 8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 12, 1976.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49. CFR 1100.40) and filed

FSA No. 43249—*Barley, Corn, Etc., from Illinois Central Gulf Railroad Company Stations in Illinois*. Filed by Illinois Central Gulf Railroad Company, (No. 76-3), for interested rail carriers. Rates on barley, corn, grain sorghums, oats, rye, soybeans and wheat, in carloads, as described in the application, from Illinois Central Gulf Railroad Company stations in Illinois, to Chicago, Illinois, for export.

Grounds for relief—Market competition.

Tariff—Supplement 45 to Illinois Central Gulf Railroad Company tariff No. 602, I.C.C. No. 36. Rates are published to become effective on November 14, 1976.

FSA No. 43250—*Joint Water-Rail Container Rates—United Yugoslav Lines*. Filed by United Yugoslav Lines, (No. 101), for itself and interested rail carriers. Rates on general commodities, between ports in Japan and Korea, and rail stations on the U.S. Atlantic and Gulf Seaboard.

Grounds for relief—Water competition.

FSA No. 43251—*Joint Water-Rail Container Rates—Black Sea Shipping Company*. Filed by Black Sea Shipping Company, (No. 3), for itself and interested rail carriers. Rates on general commodities, from railroad terminals at U.S. Pacific Coast ports, to ports in the Mediterranean.

Grounds for relief—Water competition.

Tariff—Black Sea Shipping Company Eastbound tariff No. 2, I.C.C. No. 2, F.M.C. No. 10. Rates are published to become effective on November 6, 1976.

FSA No. 43252—*Joint Water-Rail Container Rates—Black Sea Shipping Company*. Filed by Black Sea Shipping Company, (No. 4), for itself and interested rail carriers. Rates on general commodities, from ports in the Mediterranean, to railroad terminals at U.S. Pacific Coast ports.

Grounds for relief—Water competition.

Tariff—Black Sea Shipping Company Westbound, tariff No. 1, I.C.C. No. 1, F.M.C. No. 11. Rates are published to become effective on November 6, 1976.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc. 76-30325 Filed 10-14-76; 8:45 am]

TRANSPORTATION OF "WASTE" PRODUCTS FOR REUSE OR RECYCLING

Special Certificate Letter Notice(s)

The following letter notices request participation in a Special Certificate of Public Convenience and Necessity for the transportation of "waste" products for reuse or recycling in furtherance of a recognized pollution control program under the Commission's regulations (49 CFR 1062) promulgated in "Waste" Products, Ex Parte No. MC 85, 124 MCC 483 (1976).

An original and one copy of protests against applicant's participation may be filed with the Interstate Commerce Commission on or before November 8, 1976. A copy must also be served upon applicant or its representative. Protests against the applicant's participation will not operate to stay commencement of the proposed operation.

If the applicant is not otherwise informed by the Commission, operations may commence within 30 days of the date of its notice in the FEDERAL REGISTER, subject to its tariff publication effective date.

P-25-76 (Correction) (Special Certificate—Waste Products), filed September 14, 1976, published in the FEDERAL REGISTER issue of October 5, 1976, and republished as corrected this issue. Applicant: RAY KURTZ AND LINDA FARLEY, a Partnership, doing business as PLASTIC EXPRESS, P.O. Box 5593, Orange, Calif. 92667. Applicant's representative: Linda Farley (same address as applicant). Authority sought to operate pursuant to a certificate of public convenience and necessity authorizing operations in interstate or foreign commerce, as a common carrier by motor vehicle over irregular routes, in the transportation of waste and waste products which are cans, chemical solutions, cullet, glass and glass containers, iron, steel and metal products, metal scrap, paper, paper products, petroleum products, plastic, plastic articles, rags, textile products, rubber, rubber products, trash, wood, and wood products, between points in the United States and west of Alabama, Tennessee, Kentucky, Ohio, and Michigan (except Alaska and Hawaii), in furtherance of recognized pollution control programs sponsored by: (1) Glass Container Manufacturers Institute, Inc. of Irvine, Calif., for the purpose of recycling glass containers (cullet); (2) Apollo Plastic's Inc. of Los Angeles, Calif., for the purpose of brokering waste scrap including plastic milk bottles and scrap plastics; (3) A. E. Taylor of Santa Monica, Calif., for the purpose of brokering waste scrap metals; (4) Century Enterprises of Denver, Colo., for the purpose of brokering waste scrap metals; (5) Brockway Glass Company, Inc. of Brockway, Pa., for the purpose of brokering broken glass (cullet); and (6) Alpha Recycle of Gardena, Calif., for the purpose of brokering waste paper.

NOTE.—The purpose of this republication is to indicate the correct commodity descrip-

tion as wood products in lieu of food products as was previously published. Applicant presently holds Waste Products Special Certificate No. P-25-73.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-30326 Filed 10-14-76; 8:45 am]

Office or Proceedings

PETITIONS FOR MODIFICATION, INTERPRETATION OR REINSTATEMENT OF OPERATING RIGHTS AUTHORITY

Notice

The following petitions seek modification or interpretation of existing operating rights authority, or reinstatement of terminated operating rights authority.

An original and one copy of protests to the granting of the requested authority must be filed with the Commission on or before November 15, 1976. Such protest shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR 1100.247)¹ and shall include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon petitioner's representative, or petitioner if no representative is named.

No. MC 107403 (Sub-No. 839) (Notice of filing of petition to modify restriction) filed September 27, 1976. Petitioner: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Petitioner's representative: Allen H. Knouft (same address as applicant). Petitioner holds a motor common carrier Certificate in No. MC 107403 (Sub-No. 839), issued November 26, 1973, authorizing transportation over irregular routes, of corn products, in bulk (except corn oil, in bulk), from Dayton, Ohio, to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to the transportation of traffic originating at the plant site and warehouse facilities of Cargill, Incorporated, located at Dayton, Ohio. By the instant petition, petitioner seeks to modify the above restriction to include CAR-MI, INC. as an additional origin plant site.

No. MC 124078 (Sub-No. 535) (Notice of filing of petition to modify restriction) filed September 22, 1976. Petitioner: SCHWERMAN TRUCKING CO., P.O.

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Box 1601, Milwaukee, Wis. 53201. Petitioner's representative: James R. Ziperski (same address as applicant). Petitioner holds a motor common carrier Certificate in No. MC 124078 (Sub-No. 535), issued January 25, 1974, authorizing transportation over irregular routes, of corn products, in bulk (except corn oil, in bulk), from Dayton, Ohio, to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to the transportation of traffic originating at the plant site and warehouse facilities of Cargill, Incorporated, located at Dayton, Ohio.

By the instant petition, petitioner seeks to add Car-MI, Inc. of Dayton, Ohio as an additional origin plantsite to the above restriction.

No. MC 124579 (Sub-No. 9) (Notice of filing of petition to modify restriction) filed September 20, 1976. Petitioner: WIKEL BULK EXPRESS, INC., Route 2, Huron, Ohio 44839. Petitioner's representative: Richard H. Brandon, 220 West Bridge Street, P.O. Box 97, Dublin, Ohio 43017. Petitioner holds a motor common carrier Certificate in No. MC 124579 (Sub-No. 9), issued November 26, 1973, authorizing transportation over irregular routes, of corn products, in bulk (except corn oil, in bulk), from Dayton, Ohio, to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to the transportation of traffic originating at the plant site and warehouse facilities of Cargill, Incorporated, located at Dayton, Ohio, subject to the right of the Commission to impose such terms, conditions, or limitations in the future as it may find necessary in order to insure that carrier's operations shall conform to the provisions of Section 210 of the Act. By the instant petition, petitioner seeks to modify the above restriction to include CAR-MI, Inc. as an additional origin plantsite.

No. MC 140484 (Sub-No. 5) (Notice of filing of petition to add an origin point) filed September 17, 1976. Petitioner: LESTER COGGINS TRUCKING, INC., 2671 E. Edison Ave., P.O. Box 69, Ft. Myers, Fla. 33901. Petitioner's representative: Chester A. Zyblut, 366 Executive Building, 1030 Fifteenth St., N.W., Washington, D.C. 20005. Petitioner holds motor common carrier Certificate in No. MC 140484 (Sub-No. 5), issued May 13, 1976, authorizing transportation over irregular routes, of electric motors, electric welders, and parts and accessories for electric motors, and parts and accessories for electric motors.

and electric welders, welding supplies, and hand truck parts (except commodities which because of their size or weight require the use of special equipment), from the facilities of The Lincoln Electric Company located at or near Cleveland and Minton, Ohio, to points in Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, Louisiana (except New Orleans, Baton Rouge, and Shreveport and points in their respective commercial zones, as defined by the Commission), Texas, North Dakota, South Dakota, and Oklahoma, subject to the right of the Commission to impose such terms, conditions, or limitations in the future as it may find necessary in order to insure that carrier's operations shall conform to the provisions of Section 210 of the Act. By the instant petition, petitioner seeks to add the plant site and storage facilities of Reliance Electric Company, located in Cleveland, Ohio as an additional origin point.

No. MC 141426 (Notice of filing of petition to modify permit), filed September 20, 1976. Petitioner: WHEATON CARTAGE CO., Millville, N.J. 08332. Petitioner's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, D.C. 20001. Petitioner holds a motor contract carrier Permit, in No. MC 141426, issued August 13, 1976, authorizing transportation over irregular routes, of *glass, metal, plastic, paper and wax products, foodstuffs, printer's machinery, anti-pollution and biochemical apparatus, products used in radiological research, organic chemistry kits, parts and accessories* for all of the above-described commodities, and *materials, equipment, and supplies* used or useful in the production, sale, and distribution, of the above-named commodities, between the facilities utilized by Wheaton Industries, located in Cumberland, Ocean, and Atlantic Counties, N.J., on the one hand, and, on the other, points in New York, New Jersey, Ohio, Michigan, Indiana, Kentucky, West Virginia, Illinois, Wisconsin, Missouri, Minnesota, Kansas, Iowa, Nebraska, North Dakota, South Dakota, and Wyoming, restricted against the transportation of commodities in bulk, in tank vehicles, under a continuing contract, or contracts, with Wheaton Industries, of Millville, N.J. By the instant petition, petitioner seeks to modify its Permit (1) by adding Dorchester Industries, Inc., of Millville, N.J., and Decora, Inc., of Williamstown, N.J., as additional contracting shippers and adding them as additional base facilities in the territorial description; (2) by adding Gloucester, Cape May, Salem, Camden, and Mercer Counties, N.J., as additional base points; and (3) by modifying the commodity description to read as follows: "*glass, metal, plastic, paper, wax, and wood products, foodstuffs, anti-pollution and biochemical apparatus, products used in radiological research, organic chemistry kits, clay, talc, feldspar, clay products, feldspar products, candles, pottery, chinaware,*

ceramics, gift items, materials, and supplies used in the repair and maintenance of *boats, machinery, and machine parts, presses, molders, bottle coating systems, parts and accessories* for all of the above-described commodities, and *materials, equipment, and supplies* used or useful in the production fabrication, sale, distribution, assembly, finishing, coating, pressing, maintenance, and molding of the above-named commodities.

No. MC 141878 (Notice of filing of petition to broaden territorial description), filed August 6, 1976. Petitioner: DIRECT COURIER, INC., 2780 S. Jefferson Davis Hwy., Arlington, Va. 22202. Petitioner's representative: Gerald K. Gimmel, 303 N. Frederick Ave., Gaithersburg, Md. 20760. Petitioner holds a motor common carrier Certificate in No. MC 141878, issued October 5, 1976, authorizing transportation, as pertinent, over irregular routes, of *live laboratory animals*, between points in Maryland, Virginia, West Virginia, Pennsylvania, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, and the District of Columbia.

By the instant petition, the petitioner seeks to broaden the territorial description to include points in North Carolina, Georgia, and South Carolina.

REPUBLICATIONS OF GRANTS OF OPERATING RIGHTS AUTHORITY PRIOR TO CERTIFICATION

NOTICE

The following grants of operating rights authorities are republished by Order of the Commission to indicate a broadened grant of authority over that previously noticed in the FEDERAL REGISTER.

An original and one copy of protests to the granting of the authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protest shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR § 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition shall not be tendered at this time. A copy of the protest shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

No. MC 115092 (Sub-No. 4) (Republication), filed March 2, 1976, published in the FEDERAL REGISTER issue of April 8, 1976, and republished this issue. Applicant: TOMAHAWK TRUCKING, INC., P.O. Box 10, Vernal, Utah 84078. An Order of the Commission, Review Board Number 3, dated September 14, 1976, and served September 29, 1976, finds that the present and future public convenience and necessity require operations by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes in the transportation of (1) *Bentonite*, in bags, from the facilities of American Colloid

Company, located at or near Belle Fourche, S. Dak., and Upton, Wyo., to points in Texas and Oklahoma; (2) *bentonite* used in, or in connection with, the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts, or used in connection with the construction, operation, repair, servicing, maintenance, and dismantling of petroleum pipelines, including the stringing and picking up thereof in bags, from the facilities of American Colloid Company, located at or near Upton, Wyo., to points in Utah; and (3) *lignite coal and treated lignite*, in bags, from the facilities of American Colloid Company, located at or near Belle Fourche, S. Dak., to points in Texas and Oklahoma; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate that the grant of authority and applicant's amended authority sought differs from that which appeared in the previous FEDERAL REGISTER publication.

No. MC 117765 (Sub-No. 196) (Republication), filed September 2, 1975, and published in the FEDERAL REGISTER issue of October 2, 1975, and republished this issue. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth St., Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as applicant). An Order of the Commission, Review Board Number 2, dated September 8, 1976, and served September 29, 1976, finds that the present and future public convenience and necessity require operations by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes in the transportation of, (1) *Malt beverages*, in containers, from San Antonio, Tex., to points in Kansas, Nebraska, and Oklahoma; (2) (a) *petroleum and petroleum products*, in containers, from Ponca City, Okla., to points in Michigan and Nebraska; and (b) *petroleum products*, in containers, from Eldorado, Kans., to points in Michigan; and (c) *empty used containers*, from points in Michigan and Nebraska, to Coffeyville and Kansas City, Kans., and Tulsa, Okla., that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate that applicant's grant of authority in part (c) above is not limited to the transportation of traffic having a prior movement from Continental Oil Company located at Ponca City, Okla.

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER OPERATING RIGHTS APPLICATION

The following applications are governed by Special Rule 247 of the Commission's general Rules of Practice (49

CFR § 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date of notice of filing of the application is published in the FEDERAL REGISTER. Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the methods—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protest not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representatives, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d) (4) of the special rules, and shall include the certification required therein.

Section 247(f) further provides, in part, that an applicant who does not intend timely to prosecute his application shall promptly request dismissal thereof, and that failure to prosecute an application under procedures ordered by the Commission will result in dismissal of the application.

Further processing steps will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application:

No. MC 2202 (Sub-No. 520), filed September 10, 1976. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box 471, Akron, Ohio 44309. Applicant's representative: William O. Turney, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Dodge Division Reliance Electric Co. located at

or near Lawrenceburg, Ky., as an off-route point in connection with applicant's present authority.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Indianapolis, Ind., or Washington, D.C.

No. MC 2368 (Sub-No. 60), filed September 8, 1976. Applicant: BRALLEY-WILLETT TANK LINES, INC., 2212 Deepwater Terminal Rd., P.O. Box 495, Richmond, Va. 23204. Applicant's representative: William T. Marshburn (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles, between points in Mecklenburg County, N.C., on the one hand, and, on the other, points in New Jersey, New York, and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Richmond, Va.

No. MC 3503 (Sub-No. 1), filed September 10, 1976. Applicant: D. F. GIAMMETTA, doing business as B. & G. TRANSFER COMPANY, 935 W. 4th Street, Davenport, Iowa 52802. Applicant's representative: James C. Hardman, 33 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel, wheels, rims, and bands*, from the plantsite of French & Hecht Div., Kelsey Hayes Company, Subsidiary of the Fruehauf Corporation, at Walcott, Iowa, to Carbon Cliff, East Moline, Moline, Milan, Rock Island, and Silvis, Ill.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 4943 (Sub-No. 35), filed September 9, 1976. Applicant: CENTRAL EXPRESS INC., 5601 West Waco Drive, P.O. Box 238, Waco, Tex. 76703. Applicant's representative: Phillip Robinson, 1806 Rio Grande, P.O. Box 2207, Austin, Tex. 78768. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Victoria, Tex., and the site of the Coleta Creek Power Station of Central Power and Light Company, located near Fannin, Tex.; from Victoria, Tex., over U.S. Highway 59 to Fannin, and thence over F.M. Road 2987 to the site of the Coleta Creek Power Station of Central Power and Light Company and return over the same route, serving no intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Austin or San Antonio, Tex.

No. MC 8544 (Sub-No. 27), filed September 9, 1976. Applicant: GALVESTON TRUCK LINE CORPORATION, doing business as GALVESTON TRUCK LINES, 7415 Wingate, Houston, Tex. 77011. Applicant's representative: Joe G. Fender, 1150 Pennzoll Place, South

Tower, 711 Louisiana, Houston, Tex. 77001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bleaching, cleaning, and scouring preparations, foodstuffs and cooling oils* in packages or other containers, and *chopped alfalfa* in bags, from the plantsite and distribution facilities of the Clorox Company, located at Houston, Tex., to points in Oklahoma (except Oklahoma City, Okla.).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Houston or Dallas, Tex.

No. MC 16903 (Sub-No. 44), filed September 13, 1976. Applicant: MOON FREIGHT LINES, INC., 120 West Grimes Lane, Bloomington, Ind. 47401. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Granite*, from points in Culpepper County, Va., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Indianapolis, Ind.

No. MC 20932 (Sub-No. 37), filed September 13, 1976. Applicant: DOTSETH TRUCK LINE, INC., Knapp, Wis. 54749. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery, equipment, implements and parts thereof* (except commodities in bulk), from the plant and warehouse sites of Forage King Industries, Inc. located at Ridgeland, Wis., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New York, North Dakota, Ohio, Pennsylvania, South Dakota and Wisconsin; and (2) *equipment, materials and supplies* used in the manufacture, production and distribution of the above named commodities (except in bulk) from points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New York, North Dakota, Ohio, Pennsylvania, South Dakota, and Wisconsin, to Ridgeland, Wis., restricted to the transportation of traffic originating at or destined to Ridgeland, Wis.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis, Minn., or Milwaukee, Wis.

No. MC 22182 (Sub-No. 31), filed September 14, 1976. Applicant: NU-CAR CARRIERS, INC., 850 Haverford Road, P.O. Box 172, Bryn Mawr, Pa. 19010. Applicant's representative: Gerald K. Gimmel, Suite 145, 4 Professional Drive,

Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in secondary movements, in truckaway service, from Wilmington, Del., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Nebraska, Nevada, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 31023 (Sub-No. 4), filed September 13, 1976. Applicant: MOON CARRIER, 515 River Road, Clifton, N.J. 07014. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt and sold in retail department stores, between the facilities, consolidations, divisions and supplies of Allied department stores, located at points in the New York, N.Y. Commercial Zone, Philadelphia, Pa., Commercial Zone, Boston, Mass., Commercial Zone, Chicago, Ill., Commercial Zone, Charlotte, N.C. Commercial Zone, as defined by the Commission, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 40978 (Sub-No. 27), filed September 13, 1976. Applicant: CHAIR CITY MOTOR EXPRESS COMPANY, 3321 Business Highway U.S. 141 South, Sheboygan, Wis. 53081. Applicant's representative: Richard C. Alexander, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from the plantsite and storage facilities of Richardson Brothers Company located at or near Sheboygan Falls, Wis., to points in Alabama, Arkansas, Georgia, Kansas, Louisiana, Nebraska, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Milwaukee, Wis. or Chicago, Ill.

No. MC 42011 (Sub-No. 24), filed September 10, 1976. Applicant: D. Q. WISE & CO., INC. (Barbara Ann Brewer Independent Executrix), 13309 E. Apache St., P.O. Box 15125, Tulsa, Okla. 74115. Applicant's representative: J. G. Dail, Jr., P.O. Box 567, McLean, Va. 22101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk or in bulk or in containers, from points in Big Horn County, Wyo., to points in Arkansas, Kansas, Louisiana, Oklahoma, and Texas.

NOTE.—If a hearing is deemed necessary, applicant does not specify a location.

No. MC 42487 (Sub-No. 855), filed September 13, 1976. Applicant: CON-

SOLIDATED FREIGHTWAYS CORPORATION, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert M. Bowden, P.O. Box 3062, Portland, Oreg. 97208. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between Tucson, Ariz. and Willcox, Ariz., as an alternate route for operating convenience only, in connection with carrier's presently authorized regular-route operations, serving no intermediate points: From Tucson over Interstate Highway 10 to Willcox, and return over the same route.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Portland, Oreg. or San Francisco, Calif.

No. MC 52525 (Sub-No. 12), filed September 3, 1976. Applicant: K. V. YOUNG AND D. A. GOEPEL, a partnership, doing business as IOWA VAN & STORAGE CO., 541 South Iowa Avenue, Ottumwa, Iowa 52501. Applicant's representative: Kenneth F. Dudley, 611 Church Street, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in trailers, between Ottumwa, Iowa, on the one hand, and on the other, points in Lee County, Iowa, restricted to traffic having a prior or subsequent movement by rail.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Des Moines, Iowa or Chicago, Ill.

No. MC 52657 (Sub-No. 737), filed September 13, 1976. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, Ill. 60620. Applicant's representative: A. J. Bleberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foreign-made motor vehicles*, in secondary movements, in truckaway service, from points in the Kansas City, Mo.-Kansas City, Kans., Commercial Zone as defined in 81 M.C.C. 24 as amended, to points in Iowa, Minnesota and North Dakota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Chicago, Ill.

No. MC 55889 (Sub-No. 45) (Partial Correction), filed August 20, 1976, published in the FEDERAL REGISTER issue of September 30, 1976, and republished as corrected this issue. Applicant: AAA COOPER TRANSPORTATION, a Corporation, P.O. Box 2207, Dothan, Ala. 36301. Applicant's representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. The purpose of this partial correction is to indicate the correct territory sought in paragraph (3) to read: Between Brewton, Ala. and junction U.S. Highway 84 and U.S. Highway 31 over U.S. Highway

31, serving no intermediate points, the rest remains the same.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Birmingham or Montgomery, Ala.

No. MC 61396 (Sub-No. 315), filed September 7, 1976. Applicant: HERMAN BROS. INC., 2565 St. Marys Avenue, P.O. Box 189, Omaha, Nebr. 68101. Applicant's representative: John E. Smith, II (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oil*, in bulk, in tank vehicles, from New Market, Mo. to Omaha, Nebr.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Kansas City, Mo. or Omaha, Nebr.

No. MC 63417 (Sub-No. 93), filed September 1, 1976. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 13447, Roanoke, Va. 24034. Applicant's representative: William E. Bain (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Damaged, defective, refused, rejected or returned furniture*, from points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia, to Atlanta, Dublin and Macon, Ga.; Dillon, Mullins, Nichols and Sumter, S.C.; Johnson City, Tenn.; Appomattox, Altavista, Bedford, Dahville, Galax, Kenbridge, Marlon, Richmond, Roanoke, Rocky Mt., Staunton, Strasburg, Waynesboro and Winchester, Va.; those points in Henry and Pulaski Counties, Va. and points in North Carolina on or east of U.S. Highway 21.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Roanoke, Va. or Washington, D.C.

No. MC 74321 (Sub-No. 123), filed September 9, 1976. Applicant: B. F. WALKER, INC., P.O. Box 17-B, 1555 Tremont Place, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger, Suite 140 Cherry Creek Center, 360 South Monroe, Denver, Colo. 80209. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings*, complete and knocked down, or in sections; (2) *building sections and building panels*; (3) *parts and accessories* used in the installation and completion of commodities named in (1) and (2) above; and (4) *metal prefabricated structural components and panels and accessories* used in the installation and completion of such commodities, from the plantsite of Carco, Inc. located at or near Spokane, Wash., to points in Alaska, California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, and Wyoming.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the appli-

cant requests it be held at either Denver, Colo. or Spokane, Wash.

No. MC 82841 (Sub-No. 195), filed September 13, 1976. Applicant: HUNT TRANSPORTATION, INC., 10770 "Y" Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boards—building, wall, and insulating*, from the Masonite Corporation, located at or near Grand Prairie, Tex., to points in Kansas and Oklahoma.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 83539 (Sub-No. 436) (Correction), filed August 9, 1976, published in the FEDERAL REGISTER issue of September 16, 1976, republished as corrected this issue. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce St., P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products, wood products and millwork*, from the plantsite of Willamette Industries, Inc., and Brooks-Willamette Corporation, located at Sweet Home, Foster, Lebanon, Griggs, Springfield, Albany, Millersburg, Dallas, Wilsonville, Redmond, and Bend, Oreg., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, and South Dakota.

NOTE.—The purpose of this republication is to include Illinois in the territorial description as a destination point. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg., or Washington, D.C.

No. MC 95084 (Sub-No. 113), filed September 2, 1976. Applicant: HOVE TRUCK LINE, Stanhope, Iowa 50246. Applicant's representative: Kenneth F. Dudley, 611 Church St., P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hog and cattle feeding equipment and automated feed systems*, from Jamestown, Ohio, to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Columbus, Ohio or Chicago, Ill.

No. MC 95540 (Sub-No. 961), filed September 13, 1976. Applicant: WATKINS MOTOR LINES, INC., 1144 West Griffin Road, P.O. Box 1636, Lakeland, Fla. 33802. Applicant's representative: Benjy W. Fincher (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from the plantsite and storage facilities of Schurman's Butter & Cheese, Inc., at Lancaster and Bloomington, Wis., to points in Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.; Washington, D.C.; or Tampa, Fla.

No. MC 97068 (Sub-No. 16), filed September 8, 1976. Applicant: H. S. ANDERSON TRUCKING COMPANY, a Corporation, P.O. Box 3656, Port Arthur, Tex. 77640. Applicant's representative: J. G. Dail, Jr., P.O. Box 567, McLean, Va. 22101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Machinery, equipment, materials, and supplies* used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, *machinery, materials, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, (except the stringing or picking up of pipe in connection with main pipelines), other than pipelines used for the transmission of natural gas, petroleum, their products and by-products, water, or sewage, restricted to the transportation of shipments moving to or from pipeline rights of way, and (b) *earth drilling machinery and equipment, and machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with, (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, between points in Louisiana, on the one hand, and, on the other, points in Oklahoma.

(2) *Heavy and cumbersome commodities* which, because of size or weight require the use of special equipment, other than machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, between points in Texas within 125 miles of Houston, Tex., including Houston, Tex., on the one hand, and, on the other, points in Louisiana.

NOTE.—Applicant states that the purpose of this application is to recover certain authority lost as a result of the Gateway Elimination regulations and to resume operations formerly conducted through the gateways of points in Texas as to part (1) and points in Orange and Jefferson Counties, Tex., as to part (2). If a hearing is deemed necessary, the applicant requests it be held at Beaumont, Tex.

No. MC 98964 (Sub-No. 13), filed September 13, 1976. Applicant: P. B. I. FREIGHT SERVICE, 960 North 1200 West, P.O. Box 37, Orem, Utah 84057. Applicant's representative: Robert Reeder, 79 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), between the junction of U.S. Highways 6 and 50 with the Utah-Nevada State Line, and Ely, Nev., serving all intermediate points and the off-route points of Baker, the Fred Baker Ranch, the Lehman Caves National Monument, and the Nevada State Fish Hatchery: From the junction of U.S. Highways 6 and 50 and the Utah-Nevada State Line over combined routes 6 and 50 to Ely, and return over the same route, restricted against traffic originating at or destined to Ely, Nev., or points within five miles thereof.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 104523 (Sub-No. 64) (Correction), filed August 23, 1976, published in the FEDERAL REGISTER issue of September 23, 1976, republished as corrected this issue. Applicant: HOUSTON TRUCK LINE, INC., P.O. Box 17, Friend, Nebr. 68359. Applicant's representative: David R. Parker, 2310 Colorado State Bank Bldg., 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bentonite, processed clay and foundry molding sand treating compound* (restricted to the transportation of commodities in bulk, in other than pneumatic tank vehicles), from Belle Fourche, S. Dak., and Upton, Wyo., to points in Colorado, Illinois, Kansas, Missouri, Nebraska, Oklahoma, and Texas; and (2) *bentonite, processed clay and lignite*, from Lovell, Wyo., to points in Colorado, Illinois, Kansas, Missouri, Nebraska, Oklahoma and Texas.

NOTE.—The purpose of this republication is to correct the commodity description in part (1) of this proceeding. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 105566 (Sub-No. 127) filed September 7, 1976. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1119, Cape Girardeau, Mo. 62701. Applicant's representative: Thomas F. Kilroy, P.O. Box 2069, Springfield, Va. 22152. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter*, from Wasaca, Minn., to points in Arizona, California, Nevada and Utah.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis, Minn. or Washington, D.C.

No. MC 106398 (Sub-No. 755) filed September 13, 1976. Applicant: NATIONAL TRAILER CONVOY, INC., 525

South Main, Tulsa, Okla. 74103. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hard board and particle board*, from Deposit, N.Y., (except the plantsite of Celotex Corporation), to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Albany, N.Y.

No. MC 107295 (Sub-No. 827) filed August 25, 1976. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill. 62707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulation materials*, (1) from St. Louis County, Mo., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico; and (2) from Solon, Ohio, to points in the United States in and east of Arkansas, Iowa, Minnesota, Louisiana and Missouri.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 107496 (Sub-No. 1047) filed September 13, 1976. Applicant: RUAN TRANSPORT CORPORATION, 3200 Ruan Center, 666 Grand Avenue, Des Moines, Iowa 50309. Applicant's representative: E. Check, P.O. Box 855, Des Moines, Iowa 50304. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement block*, from St. Croix Falls, Wis., to points in Minnesota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either St. Paul, Minn. or Des Moines, Iowa.

No. MC 107541 (Sub-No. 44), filed September 10, 1976. Applicant: WASHINGTON-OREGON LUMBER FREIGHTERS, INC., 2000 East Columbia Way, Building 54, Vancouver, Wash. 98661. Applicant's representative: J. H. Gulseth, 125 University Avenue, Berkeley, Calif. 94710. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building stone, crushed rock and crushed limestone*, from points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah and Washington, to ports of entry on the International Boundary line between the United States and Canada located at points in Idaho, Montana and Washington, restricted to the transportation of shipments destined to Vancouver, British Columbia and points within 30 miles thereof, points on Vancouver Island, B.C., and Calgary, Alberta Metropolitan area, Canada.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 107993 (Sub-No. 48), filed August 30, 1976. Applicant: J. J. WILLIS TRUCKING COMPANY, a Corporation, 2608 Electronic Lane, P.O. Box 5328, Terminal Station, Dallas, Tex. 75222. Applicant's representative: Kenneth Weeks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled tractors*, from Wharton, Tex., to points in the United States (except Alaska and Hawaii); and (2) *materials, equipment, and supplies*, used in the manufacture of the items in (1) above, from points in the United States (except Alaska and Hawaii), to Wharton, Tex.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Houston or Dallas, Tex.

No. MC 108460 (Sub-No. 51), filed September 9, 1976. Applicant: PETROLEUM CARRIERS COMPANY, P.O. Box 762, 5104 West 14th St., Sioux Falls, S. Dak. 57101. Applicant's representative: Gary Mundhenke (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, from Huron, S. Dak., to points in North Dakota, restricted to the transportation of traffic originating at the plantsites and storage facilities of Farmland Industries, Inc. located at Huron, S. Dak.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis, Minn. or Sioux Falls, S. Dak.

No. MC 109478 (Sub-No. 147), filed September 14, 1976. Applicant: WORSTER MOTOR LINES, INC., R.D. No. 1—Gay Road, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods, food products, food ingredients, and products requiring mechanical refrigeration* (except in bulk), (1) from the warehouses of Beatrice Foods Co., located in Scranton, Pa., and at or near Allentown, Pa., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia and the District of Columbia, restricted to traffic originating at the above named origins and destined to the above named destinations; and (2) from points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Vermont, Rhode Island, Virginia, West Virginia and the District of Columbia, to the warehouses of Beatrice Foods Co., located at Scranton, Pa., and at or near Allentown, Pa., restricted to traffic originating at the above named origins and destined to the above named destination points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the appli-

cant requests it be held on a consolidated record at Washington, D.C.

No. MC 109540 (Sub-No. 34) (Amendment) filed March 1, 1976, published in the FEDERAL REGISTER issue of April 1, 1976, and republished as amended this issue. Applicant: YEARY TRANSFER COMPANY, INC., 2171 Christian Rd., Lexington, Ky. 40501. Applicant's representative: Chandler L. van Orman, 704 Southern Bldg., 15th & H St., N.W., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies and equipment* used in the marketing, packing, storing, processing or handling of unmanufactured tobacco (except commodities in bulk, in tank vehicles, and commodities which because of their size or weight require the use of special equipment or handling), and *unmanufactured tobacco, or empty tobacco containers*, when moving in the same vehicle and at the same time with the above described commodities, between points in Georgia, Kentucky, Maryland, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin.

NOTE.—The purpose of this republication is to amend the requested authority in this proceeding. If a hearing is deemed necessary, the applicant requests it be held at either Louisville, Ky., or Washington, D.C.

No. MC 109708 (Sub-No. 67) filed August 30, 1976. Applicant: INDIAN RIVER TRANSPORT CO., doing business as, INDIAN RIVER TRANSPORT, INC., P.O. Box 966, 908 North N.W. Part Street, Okeechobee, Fla. 33472. Applicant's representative: James E. Wharton, 100 South Orange Avenue, Suite 811, Metcalf Building, Orlando, Fla. 32801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit juices, nonalcoholic drink bases and fruit juice concentrate*, in bulk, in tank vehicles, from points in Florida, to points in Alabama, Arkansas, California, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Minnesota, North Dakota, South Dakota, Nebraska, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Orlando, Tampa or Jacksonville, Fla.

No. MC 111045 (Sub-No. 134) filed September 16, 1976. Applicant: REDWING CARRIERS, INC., P.O. Box 426, Tampa, Fla. 33601. Applicant's representative: J.V. McCoy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, liquid, in bulk, in tank vehicles, between LeMoyne, Ala. and Ports-

mouth, Va., restricted to traffic originating at, or destined to the plantsites and/or storage facilities of Virginia Chemicals, Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Mobile, Ala. or Washington, D.C.

No. MC 111231 (Sub-No. 203) filed August 18, 1976. Applicant: JONES TRUCK LINES, INC., 610 East Emma, Springdale, Ark. 72764. Applicant's representative: Michael H. Mashburn, 111 Holcomb, P.O. Box 869, Springdale, Ark. 72764. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal articles and metal products*, from Northbrook, Ill., to points in Arkansas, Colorado, Indiana, Iowa, Kentucky, Louisiana, Missouri, Tennessee, Texas and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Little Rock, Ark. or Kansas City or St. Louis, Mo.

No. MC 111302 (Sub-No. 94) filed August 25, 1976. Applicant: HIGHWAY TRANSPORT, INC., P.O. Box 10470, 1500 Amherst Road, Knoxville, Tenn. 37949. Applicant's representative: David A. Petersen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Farwell, Mich., to points in Indiana, Kentucky, and Tennessee.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 111729 (Sub-No. 682), filed September 14, 1976. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laboratory samples and specimens, and related business papers*, between Albuquerque International Airport, located in Albuquerque, N. Mex., on the one hand, and, on the other Alamogordo, Artesia, Belen, Carlsbad, Clovis, Cuba, Espanola, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Los Alamos, Lovington, Portales, Ruidoso, Roswell, Santa Fe, Socorro, Taos, and Tucumcari, N. Mex., restricted to traffic having an immediately prior or subsequent movement by air.

NOTE.—Applicant holds contract carrier authority in No. MC 112750 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 112520 (Sub-No. 320), filed September 13, 1976. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same address as applicant). Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay, processed clay and clay and water mixed*, in bulk, in tank vehicles, from Decatur County, Ga., to points in Colorado, Delaware, Indiana, Iowa, Maryland, Missouri, Nebraska, New Mexico, Oklahoma, Pennsylvania, Utah and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Atlanta, Ga. or Washington, D.C.

No. MC 113267 (Sub-No. 338), filed September 13, 1976. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 3215 Tulane Rd., P.O. Box 30130 A.M.F., Memphis, Tenn. 38130. Applicant's representative: Lawrence A. Fischer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bags and bagging*, from Nashville, Tenn., to points in Oklahoma and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Nashville or Memphis, Tenn.

No. MC 113267 (Sub-No. 339) filed September 13, 1976. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 3215 Tulane Rd., P.O. Box 30130 A.M.F., Memphis, Tenn. 38130. Applicant's representative: Lawrence A. Fischer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite and warehouse facilities of Kitchens of Sara Lee, located at or near Deerfield, Ill., to points in Arkansas, Louisiana, Mississippi, and Tennessee, restricted to traffic originating at the named origins and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Memphis, Tenn.

No. MC 113325 (Sub-No. 145) (amendment) filed July 1, 1976, published in the FEDERAL REGISTER issues of July 29, 1976 and September 9, 1976 and republished as amended this issue. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh St., St. Louis, Mo. 63104. Applicant's representative: T. M. Tahan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Blytheville, Ark.; Depue, Marselles, and Wood River, Ill.; Flint, Grand Rapids, Kalamazoo, Mt. Clemens, Port Huron, and Warren, Mich.; and Louisiana, Mo.; and points within 5 miles of each of the named points, to points in Arkansas, Illinois, Indiana, Kentucky, Michigan, Missouri, Tennessee, and Wisconsin.

NOTE.—The purpose of this republication is to amend territorial description. If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo.

No. MC 113678 (Sub-No. 637) filed September 3, 1976. Applicant: CURTIS,

INC., P.O. Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, and those requiring special equipment), which are at the time moving on bills of lading of freight forwarders under Part IV of the Interstate Commerce Act, (1) from the facilities of ABC-Trans National Transport, Inc., located at New York, N.Y., Newark, N.J., and points in their Commercial Zones, to Chicago, Ill., (2) from the facilities of ABC-Trans National Transport, Inc. located at Chicago, Ill. and points in its Commercial Zone, to Los Angeles, San Diego, and San Francisco, Calif., Portland, Ore., Seattle, Wash., and points in Nevada; and (3) from the facilities of ABC-Trans National Transport, Inc. located at Los Angeles, Calif. and its Commercial Zone, to Portland, Ore. and Seattle, Wash.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 113855 (Sub-No. 353) filed September 13, 1976. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE, Rochester, Minn. 55901. Applicant's representative: Thomas J. Van Odel, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road construction machinery and equipment and lift trucks*, from Minneapolis and St. Paul, Minn., and points within 15 miles thereof, to points in Colorado, Idaho, Illinois, Iowa, Kansas, Louisiana, Maryland, Missouri, Montana, Nebraska, New Mexico, North Dakota, Minnesota, New Jersey, Ohio, Oregon, Pennsylvania, South Dakota, Texas, Washington, West Virginia, Wisconsin, Wyoming, District of Columbia, and points on the International Boundary line between the United States and Canada, located in Idaho, North Dakota, Minnesota, Montana, and Washington.

NOTE.—Common control may be involved. If a hearing is deemed necessary the applicant requests it be held at either Minneapolis, Minn. or Chicago, Ill.

No. MC 113908 (Sub-No. 383) filed August 20, 1976. Applicant: ERICKSON TRANSPORT CORP., 2105 East Dale Street, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar, vinegar stock, and vinegar stock concentrate*, in bulk, from Delta and Denver, Colo., to points in the United States in and west of Arkansas, Illinois, Indiana, Louisiana, Michigan, Missouri and Tennessee, restricted against the transportation of vinegar from Denver, Colo., to Wichita and Hutchinson, Kans., and against the transportation of vinegar

stock from Delta, Colo., to Kansas City, Mo.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.; Chicago, Ill.; or Washington, D.C.

No. MC 114045 (Sub-No. 449), filed September 10, 1976. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 61228, D/FW Airport, Tex. 75261. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Floor coverings, vinyl sheet goods and adhesives* (except in bulk), in vehicles equipped with mechanical refrigeration, from Salem, N.J., to points in Arizona, California, New Mexico, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 114457 (Sub-No. 271), filed September 1, 1976. Applicant: DART TRANSIT COMPANY, 2102 University Company, St. Paul, Minn. 55114. Applicant's representative: James H. Wills (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers*, from Beatrice, Nebr., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Paul, Minn. or Chicago, Ill.

No. MC 115311 (Sub-No. 196), filed September 7, 1976. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Daniel, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *(Malt beverages and related advertising matter, from points in the United States in and east of Arkansas, Illinois, Michigan, Missouri, Texas, and Wisconsin, to points in Georgia and points in Aiken County, S.C., and Leon County, Fla.; and (2) empty malt beverage containers, malt beverage pallets and dunnage, damaged, refused and rejected shipments on return, from the destination territory in (1) above to the origin points in (1) above.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 115904 (Sub-No. 61), filed September 2, 1976. Applicant: GROVER TRUCKING CO., 1710 West Broadway, Idaho Falls, Idaho 83401. Applicant's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral fiber, mineral fiber products and insulating materials*, from the facilities of Rockwool Industries Inc., located at or near Pueblo, Colo., to points in Idaho, Montana, Oregon, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Denver, Colo. or Salt Lake City, Utah.

No. MC 115904 (Sub-No. 62), filed September 2, 1976. Applicant: GROVER TRUCKING CO., 1710 West Broadway, Idaho Falls, Idaho 83401. Applicant's representative: Irene Warr, 430 Judge Bldg., Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum wallboard, gypsum and gypsum products and products used in the manufacturing and distribution thereof*, from Richmond, Calif., to points in Oregon, Utah, and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Denver, Colo. or Salt Lake City, Utah.

No. MC 117765 (Sub-No. 212), filed September 16, 1976. Applicant: HAHN TRUCK LINE, INC., 5315 N.W. 5th St., Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in containers, from Oklahoma City, Okla., to points in Kentucky, Mississippi, Ohio, and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla.

No. MC 118142 (Sub-No. 132), filed September 1, 1976. Applicant: M. BRUNGER & CO., INC., 6250 North Broadway, Wichita, Kans. 67219. Applicant's representative: Lester C. Arvin, 814 Century Plaza Bldg., Wichita, Kans. 67202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, from the plant site of Farmland Foods, Inc., located at Garden City, Kans., to points in Connecticut, Delaware, Kentucky, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Wichita, Kans.

No. MC 118989 (Sub-No. 146), filed September 9, 1976. Applicant: CONTAINER TRANSIT, INC., 5223 South 9th St., Milwaukee, Wis. 53221. Applicant's representative: Albert A. Andrin, 180 North La Salle St., Chicago, Ill. 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic containers, and container closures, container components and materials and supplies used in the manufacture or distribution of plastic containers*, from the plant and warehouse sites of the Continental Group Inc. located at Burlington, Wis., Lenexa, Kans., Elk Grove Village, Ill., Cleveland, Lima, and Cincinnati, Ohio, Piscataway and Milltown, N.J., and Baltimore, Md., to points in Arkansas, Connecticut, Dela-

ware, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Massachusetts, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Texas, Virginia, West Virginia and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or New York, N.Y.

No. MC 119789 (Sub-No. 301), filed September 13, 1976. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Dixon, Calif., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Phoenix, Ariz. or Dallas, Tex.

No. MC 119789 (Sub-No. 302), filed September 13, 1976. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: Hugh T. Matthews, 2340 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages* (except in bulk), between points in California, on the one hand, and, on the other, points in Alabama, Mississippi, New Mexico, North Carolina, South Carolina, Virginia, West Virginia, and points in Georgia north of U.S. Highway 80.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 120761 (Sub-No. 16), filed September 13, 1976. Applicant: NEWMAN BROS. TRUCKING COMPANY, 6559 Midway Road, Fort Worth, Tex. 76118. Applicant's representative: Clint Oldham, 1108 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery and equipment used in connection with the stringing or tensing of hi-line wire*, from points in Tarrant County, Tex., to points in the United States, including Alaska but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 123407 (Sub-No. 326), filed September 7, 1976. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind.

46383. Applicant's representative: Stephen H. Loeb (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum and zinc die castings, plastic injection moldings, and door and window hardware*, from St. Paul, Minn., and Rice Lake and Turtle Lake, Wis., to points in Illinois, Iowa, Missouri and Tennessee.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 123540 (Sub-No. 3), filed September 13, 1976. Applicant: WERLIN CORP., 3415 Southside Avenue, Cincinnati, Ohio 45204. Applicant's representative: Norbert B. Flick, 715 Executive Bldg., Cincinnati, Ohio. 45202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from Kingston, Ohio, to points in Illinois, and Indiana, under a continuing contract, or contracts, with Swift Agricultural Chemical Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Cincinnati, Ohio.

No. MC 124004 (Sub-No. 34) (partial correction), filed August 5, 1976, published in the FR issue of September 9, 1976, republished as corrected this issue. Applicant: RICHARD DAHN, INC., 620 West Mountain Road, Sparta, N.J. 07871. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and animal poultry and pet feed ingredients and cracklings*, (4) from Siler City, N.C., Zanesville, Ohio, and Atlanta, Ga., to points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

NOTE.—The purpose of this partial republication is to indicate the origin as Siler City, N.C. in lieu of Silver City, N.C. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or New York, N.Y.

No. MC 124004 (Sub-No. 35), filed August 5, 1976. Applicant: RICHARD DAHN, INC., 620 West Mountain Road, Sparta, N.J. 07871. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone and stone products, terrazzo strips, supplies and equipment* used or useful in the manufacture or sale of the foregoing commodities, between the manufacturing facilities and warehouses of General Stone & Material Corp., and its subsidiaries and divisions, and Clifford W. Estates Co., Inc., located at Staley, N.C., on the one hand, and, on the other, points east of the Mississippi River in-

cluding Arkansas, Kansas, Iowa, Minnesota, Oklahoma, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or New York, N.Y.

No. MC 124211 (Sub-No. 279), filed September 13, 1976. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Nonalcoholic beverages*, other than frozen and (except in bulk, when moving in mixed loads with alcoholic beverages presently authorized); and (2) *advertising matter, bottle and can openers*, between points in Pottawattamie County, Iowa, and points in Dodge, Douglas, Sarpy, Saunders, and Washington Counties, Nebr., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 124813 (Sub-No. 155), filed September 10, 1976. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa 50533. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry feed ingredients*, from Terre Haute, Ind., to points in Arkansas, Iowa, Minnesota, and Missouri.

NOTE.—Applicant holds contract carrier authority in MC 118468 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126930 (Sub-No. 14), filed August 25, 1976. Applicant: BRAZOS TRANSPORT CO., a corporation, 339 East 34th Street, P.O. Box 2746, Lubbock, Tex. 79404. Applicant's representative: Richard Hubbert, 1607 Broadway, P.O. Box 2976, Lubbock, Tex. 79408. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos-cement products and gypsum products*, from New Orleans and Westwego, La., to points in Arkansas, Oklahoma, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Lubbock or Dallas, Tex.

No. MC 127834 (Sub-No. 114), filed September 9, 1976. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, Tenn. 37203. Applicant's representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, Ky. 42431. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and roofing materials*, from the plantsite and facilities of Masonite Corporation, located in Pulaski County, Ark., to St. Louis, Mo., and points in Alabama, Illinois, Indiana, Kentucky, and Tennessee.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Nashville or Memphis, Tenn.; or Birmingham, Ala.

No. MC 128639 (Sub-No. 10), filed September 13, 1976. Applicant: CARRIER TRUCKING CORPORATION, 103 Lancaster Road, Gorham, N.H. 03531. Applicant's representative: Wesley S. Chused, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, (1) between points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; and (2) between points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, on the one hand, and, on the other, points in New York and New Jersey.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Concord, N.H. or Boston, Mass.

No. MC 128698 (Sub-No. 12), filed September 13, 1976. Applicant: ERDNER BROTHERS, INC., Davidson Road, Swedesboro, N.J. 08085. Applicant's representative: Chester A. Zyblut, 366 Executive Building, 1030 Fifteenth Street, N.W., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods, food products, food ingredients, and products requiring mechanical refrigeration* (except in bulk), (1) from the warehouses of Beatrice Foods Co., located at Scranton, Pa., and at or near Allentown, Pa., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia, and the District of Columbia, restricted to traffic originating at the above named origins and destined to the above named destinations; and (2) from points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Vermont, Rhode Island, Virginia, West Virginia, and the District of Columbia, to the warehouses of Beatrice Foods Co., located at Scranton, Pa., and at or near Allentown, Pa., restricted to traffic originating at the above named origins and destined to the above named destination points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held on a consolidated record at Washington, D.C.

No. MC 128762 (Sub-No. 15), filed September 2, 1976. Applicant: P. L. LAWTON, INC., P.O. Box 325, Berwick, Pa. 18603. Applicant's representative: John M. Musselman, P.O. Box 1146, 410 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Scrap aluminum*, from Bloomsburg, Pa., to Decatur, Ala., and Morris, Ill.; (2) *aluminum gutter and accessories* therefor,

from Ocala, Fla., to Peachtree City, Ga.; Reidsville, N.C.; and Bloomsburg, Pa.; (3) *aluminum coil and sheet*, (a) from Decatur, Ala., to Reidsville, N.C., and Bloomsburg, Pa.; (b) from Morris, Ill., to Bloomsburg, Pa.; and (4) *aluminum building products*, from Bristol, Ind., to Bloomsburg, Pa., restricted to a transportation service to be performed under a continuing contract, or contracts, with Alumax Mill Products, Inc., subsidiary of Alumax, Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 129631 (Sub-No. 50) filed September 1, 1976. Applicant: PACK TRANSPORT, INC., 3975 So. 300 West, Salt Lake City, Utah 84107. Applicant's representative: Max D. Eliason, P.O. Box 2602, Salt Lake City, Utah 84110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-cut log buildings and materials and supplies* used in the construction, installation, and erection thereof, from points in Laramie County, Wyo., to points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Cheyenne, Wyo.

No. MC 133095 (Sub-No. 111), filed September 7, 1976. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel and brass stampings*, from Naugatuck, Conn., to Minneapolis, Minn., and Los Angeles, Calif.; and (2) *carbon tracing paper*, from Ennis, Tex., to Waterbury, Conn.

NOTE.—Applicant holds contract carrier authority in No. MC 136032 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Washington, D.C.

No. MC 133095 (Sub-No. 112), filed September 7, 1976. Applicant: TEXAS CONTINENTAL EXPRESS, INC., a corporation, P.O. Box 434, Euless, Tex. 76039. Applicant's representative: K. Edward Wolcott, 1600 First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air conditioners, air conditioning equipment, heaters, and heating equipment*; (2) *related parts, accessories, materials, and supplies*; and (3) *materials and supplies* used in the manufacture, production, and distribution of commodities named in (1) and (2) above (except commodities in bulk and those which because of size or weight require the use of special equipment), between Edison, N.J., and points in the United States (except Alaska and Hawaii).

NOTE.—Applicant holds contract carrier authority in MC 136032 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Washington, D.C.

No. MC 133408 (Sub-No. 1), filed September 3, 1976. Applicant: SCOTT MOTOR TRANSPORT COMPANY, 33 High Street, Belfast, Maine 04915. Applicant's representative: Frederick T. McGonagle, 36 Main Street, Gorham, Maine 04038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from South Portland, Maine, to points in Carroll, Coos, and Grafton Counties, N.H., and points in Caledonia, Essex, Franklin, Lamoille, Orange, Orleans, and Washington Counties, Vt., under a continuing contract, or contracts, with Dead River Company of Bangor, Maine.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Bangor or Portland, Maine, or Boston, Mass.

No. MC 133566 (Sub-No. 58), filed August 30, 1976. Applicant: GANGLOFF & DOWNHAM TRUCKING CO., INC., P.O. Box 479, Logansport, Ind. 46947. Applicant's representative: Charles W. Beinbauer, 1224 17th St., N.W., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery* (except in bulk), from the plantsite and storage facilities utilized by Nabisco Confections, Inc., located at or near Cambridge, Mass., and Ashton, R.I., and Merchens Chocolate, Inc., at or near Mansfield, Mass., to points in Michigan, Ohio, Indiana, Pennsylvania, Illinois, Minnesota, Wisconsin, Tennessee, Texas, Oklahoma, Georgia, Florida, and St. Louis and Kansas City, Mo., and Kansas City, Kans., restricted to traffic originating at and destined to the above points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Boston, Mass., or Washington, D.C.

No. MC 133655 (Sub-No. 95), filed September 13, 1976. Applicant: TRANSNATIONAL TRUCK, INC., P.O. Box 4168, Amarillo, Tex. 79105. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter* (except commodities in bulk), from the plantsite of R. R. Donnelley & Sons, Inc., located at or near Old Saybrook, Conn., to points in the United States (except Alaska, Connecticut, Delaware, Hawaii, Maine, Maryland, New Hampshire, New Jersey, New York, Massachusetts, Pennsylvania, Rhode Island, and Vermont).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 133666 (Sub-No. 17), filed September 8, 1976. Applicant: JABCOBSON TRANSPORT, INC., a Minnesota corporation, 1112 Second Avenue South, Wheaton, Minn. 56296. Applicant's rep-

resentative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the storage facilities of N-Ren Corp., located at or near Dilworth, Minn., to points in North Dakota and South Dakota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis or St. Paul, Minn.

No. MC 133965 (Sub-No. 7), filed September 9, 1976. Applicant: CALZONA TRANSPORTATION, INC., P.O. Box 6558, Phoenix, Ariz. 85005. Applicant's representative: William J. Lippman, 1819 H St., N.W., No. 550, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products* (except petrochemicals), in bulk, in tank vehicles, from Contra Costa and Los Angeles Counties, Calif., to points in Texas; and (2) *graphite*, liquid, in bulk, from Buckeye, Ariz., to points in Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles, Calif., or Phoenix, Ariz.

No. MC 134232 (Sub-No. 17), filed September 13, 1976. Applicant: ENNIS TRANSPORTATION CO., INC., P.O. Drawer 776, Ennis, Tex. 75119. Applicant's representative: William D. White, Jr., 2505 Republic National Bank Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos-cement products and gypsum products*, from New Orleans and Westwego, La., to points in Arkansas, Oklahoma, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex.; New Orleans, La.; or Washington, D.C.

No. MC 134319 (Sub-No. 7), filed September 13, 1976. Applicant: BRAAF-LADT TRANSPORT COMPANY, 301 North Broadway, P.O. Box 1065, Dimmitt, Tex. 79027. Applicant's representative: Richard Hubbert, P.O. Box 2976, 1607 Broadway, Lubbock, Tex. 79408. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, from the plantsite of Farmland Industries located at or near Farnsworth, Tex., to points in Colorado, Kansas, New Mexico, and Oklahoma.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Lubbock or Amarillo, Tex.

No. MC 134328 (Sub-No. 3), filed September 2, 1976. Applicant: D & G TRUCKING CO., INC., 1450 Hamilton Ave., P.O. Box 1004, Wynne, Ark. 72396. Applicant's representative: James N. Clay III, 2700 Sterick Bldg., Memphis, Tenn. 38103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Swimming and wading pools, and parts*

attachments and accessories therefor, from the plantsite of Doughboy Recreational, Inc., located at Helena, Ark., to points in Arizona, California, Nevada, New Mexico, Ohio, and Washington, under a continuing contract, or contracts, with Doughboy Recreational, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn.

No. MC 134375 (Sub-No. 11) (Correction), filed May 14, 1976, published in the FEDERAL REGISTER issues of June 24, 1976, and republished September 2, 1976, as MC 134735 (Sub-No. 11), and republished as corrected this issue. Applicant: ELDON GRAVES, doing business as ELDON GRAVES TRUCKING, P.O. Box 3044, Union Gap, Wash. 98903. Applicant's representative: Philip G. Skofstad, 18448 S.E. Pine Street, Portland, Ore. 97233. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal or poultry feed, feed ingredients, and feed supplements* (except liquids in bulk, in tank vehicles), (1) from points in Oregon and Washington, to points in California; and (2) from points in California south of San Luis Obispo, Kern, and Inyo Counties, to points in Oregon and Washington.

NOTE.—The purpose of this republication is to change docket number MC 134375 (Sub-No. 11) in lieu of MC 134735 (Sub-No. 11), which was published in error. If a hearing is deemed necessary, the applicant requests it be held at Portland, Ore.

No. MC 134387 (Sub-No. 34), filed July 12, 1976. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Avenue, South Gate, Calif. 90280. Applicant's representative: Warren N. Grossman, 825 City National Bank Bldg., 606 South Olive St., Los Angeles, Calif. 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cans and can ends*, between points in Arizona, California, Oregon, and Washington, restricted against the transportation of shipments moving between points in Oregon and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 134477 (Sub-No. 119), filed September 16, 1976. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by retail and wholesale department and hardware stores (except commodities in bulk), from Los Angeles, Calif., and Denver, Colo., to the facilities of Coast to Coast Stores Central Organization, Inc., located at or near Brookings, S. Dak.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 134477 (Sub-No. 120), filed September 16, 1976. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Edgar, Wis., to New York, N.Y.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 134922 (Sub-No. 194), September 2, 1976. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clothing articles and compounds* (except in bulk), between Altoona, Geraldine, and Hamilton, Ala., on the one hand, and, on the other, points in the United States in and east of Louisiana, Arkansas, Missouri, Iowa, and Alabama, Georgia, and South Carolina.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Birmingham, Ala., or Little Rock, Ark.

No. MC 134922 (Sub-No. 196), filed September 13, 1976. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Display units for carpet samples, store displays, and display racks and stands*, from Little Rock, Ark., to points in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 134922 (Sub-No. 197) filed September 10, 1976. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic and rubber articles and materials* (except in bulk, and those which because of size or weight require the use of special equipment), from Chillicothe, Ohio, to points in Arizona, Idaho, New Mexico, Nevada, Oregon, Utah, and Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Columbus, Ohio.

No. MC 135241 (Sub-No. 2), filed September 13, 1976. Applicant: PAPER TRANSPORTATION SPECIALISTS,

INC., 9221 S.W. Barbur Blvd., Portland, Ore. 97219. Applicant's representative: Donald E. Murray, 1039 Georgia-Pacific Blvd., 900 S.W. Fifth Avenue, Portland, Ore. 97204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Newsprint*, from Oregon City, and Newberg, Ore., to Los Angeles, Calif. and Salt Lake City, Utah, under a continuing contract or contracts with Publishers Paper Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Portland, Ore.

No. MC 135486 (Sub-No. 16), filed September 13, 1976. Applicant: JACK HODGE TRANSPORT, INC., 2410 West 9th Street, Marion, Ind. 46952. Applicant's representative: Terrence D. Jones, Suite 300, 2033 K St., N.W., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cosmetics, toilet preparations, jewelry, and such other merchandise, equipment, and supplies* sold, used, or distributed by Avon Products, Inc., from the facilities of Avon Products, Inc., located at or near Springdale, Ohio, to the facilities of Avon Products, Inc., located at or near Monrovia and Pasadena, Calif., restricted to traffic transported under a continuing contract, or contracts, with Avon Products, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 135633 (Sub-No. 10), filed September 10, 1976. Applicant: NATION-WIDE AUTO TRANSPORTERS, INC., 2175 LeMoine Avenue, Fort Lee, N.J. 07024. Applicant's representative: Harold G. Hernly, Jr., 118 North St. Asaph Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles*, in secondary movement, in driveway service, between points in Arizona, Nevada, Oregon, and Vermont, on the one hand, and, on the other, points in the United States (including Alaska, but excluding Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 135797 (Sub-No. 59), filed August 30, 1976. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 200, Lowell, Ark. 72745. Applicant's representative: L. C. Cypert, 204 Highway 71 North, Suite 3, Springdale, Ark. 72764. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Petroleum sorbents, padding, and cushioning materials*; (b) *wallboard, insulation, and insulating materials*; (c) *mulch*; and (d) *equipment, materials, and accessories*, used in installation or application of commodities named in (b) and (c), from Cloquet, Minn., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont,

Virginia, West Virginia, and the District of Columbia; and (2) *machinery, materials, equipment, and supplies*, used in or in connection with the manufacture, distribution, application, or use of the commodities named in (1) above, from points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, to Cloquet, Minn.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., or Duluth, Minn.

No. MC 135833 (Sub-No. 14), filed August 30, 1976. Applicant: B & C SPECIALIZED CARRIERS, INC., 6524 Brookville Road, Indianapolis, Ind. 46219. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast concrete*, from the facilities of Span-Deck of Indiana, Inc., a subsidiary of American Precast Concrete, Inc., located near Westfield, Ind., to points in Illinois, Kentucky, Michigan, Missouri, and Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Indianapolis, Ind., or Chicago, Ill.

No. MC 136155 (Sub-No. 4), filed September 7, 1976. Applicant: GAY TRUCKING COMPANY, P.O. Box 7179, Savannah, Ga. 31408. Applicant's representative: William P. Sullivan, 1819 H Street, N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Savannah, Ga., to points in Florida, North Carolina, and South Carolina.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Atlanta, Ga.

No. MC 136166 (Sub-No. 25), filed September 7, 1976. Applicant: CF TANK LINES, INC., 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert M. Bowden, Western Traffic Service, P.O. Box 3062, Portland, Oreg. 97208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, from Longview, Wash., to points in Idaho and Oregon.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Portland, Oreg., or Seattle, Wash.

No. MC 136166 (Sub-No. 26), filed September 7, 1976. Applicant: CF TANK LINES, INC., 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert M. Bowden, Western Traffic Service, P.O. Box 3062, Portland, Oreg. 97208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the storage facilities of

CF Industries, Inc., located at or near Pine Bend, Minn., to points in North Dakota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either San Francisco, Calif., or St. Paul, Minn.

No. MC 136168 (Sub-No. 11), filed September 7, 1976. Applicant: WILSON CERTIFIED EXPRESS, INC., P.O. Box 717, Marshall, Mo. 65340. Applicant's representative: Donald L. Stern, 530 Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat by-products, and articles distributed by meat packerhouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsites and warehouse facilities utilized by Wilson & Co., Inc., located at Cedar Rapids, Cherokee, and Des Moines, Iowa, and Monmouth, Ill., to points in Indiana, Michigan, and Ohio, restricted to traffic originating at the named plantsite; and (2) *returned shipments, and materials, supplies, and equipment* utilized in the manufacture, sale, and distribution of the commodities named in (1) above (except hides, commodities in bulk, and those requiring special equipment), on return, restricted to traffic destined to the named plantsite, under a continuing contract, or contracts, in (1) and (2) above with Wilson & Co., Inc.

NOTE.—Applicant has common carrier authority pending in No. MC 141641 (Sub-No. 1), therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr., or Oklahoma City, Okla.

No. MC 136273 (Sub-No. 6) (Correction), filed August 13, 1976, published in the FEDERAL REGISTER issue of September 23, 1976, republished, as corrected this issue. Applicant: CORONADO TRUCKING COMPANY, INC., 307 Old County Road, Edgewater, Fla. 32032. Applicant's representative: William J. Monheim, 15942 Whittier Blvd., Suite 106, P.O. Box 1756, Whittier, Calif. 90609. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, frozen and meat and poultry products, and by-products, frozen*; and (2) *commodities*, the transportation of which is exempt from regulation under Section 203(b)(6) of the Interstate Commerce Act, when moving in mixed shipments with the commodities described in (1) above, from points in the United States in and east of points in Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas (except Connecticut, Maine, New Hampshire, Rhode Island, and Vermont), to points in California, under a continuing contract or contracts with Richmond Wholesale Meat Co.

NOTE.—The purpose of this republication is to indicate California as being the destination point in this proceeding. If a hearing is deemed necessary, the applicant requests it

be held at either San Francisco or Los Angeles, Calif.

No. MC 136343 (Sub-No. 92), filed September 1, 1976. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonelle Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by mail order houses and retail department stores and *equipment, materials, and supplies* used in conduct of such business (except commodities in bulk), from the facilities of J. C. Penney Company, Inc., located at or near Ridgefield, N.J., to Atlanta and Forest Park, Ga.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York or Washington, D.C.

No. MC 136446 (Sub-No. 8), filed September 1, 1976. Applicant: PRINCETON MESSENGER SERVICE, INC., U.S. Route 1 and Farber Road, Princeton, N.J. 08540. Applicant's representative: Harold G. Hernly, Jr., 118 North St. Asaph Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Audit media, computer data, computer records, and computer materials, video tapes, film and printed matter, and materials, equipment, and supplies* used or useful in the manufacture and distribution of video tapes, film, and printed matter (except commodities in bulk), *parts, and inter-office communications*, in specialized delivery service, between points in Montgomery and South Brunswick Townships, N.J., and Plainsboro, N.J., points in Burlington and Mercer Counties, N.J., and Philadelphia, Pa., restricted against shipments having a prior or subsequent movement by air. NOTE.—Applicant states that it intends to tack the requested authority above with its existing irregular route authority, (1) in Sub No. 7 at points in Burlington County, N.J., to provide service on the requested commodities between Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., and its Commercial Zone, and (2) in Sub No. 1 at points in Mercer County, N.J., to transport office memoranda, office records, and computer data, between New York, N.Y., and Philadelphia, Pa.; and (3) in Sub No. 7 at points in Burlington County, N.J., to provide service on the requested commodities between points in Mercer County, N.J., on the one hand, and, on the other, New York, N.Y., and its Commercial Zone.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa., or Trenton, N.J.

No. MC 138126 (Sub-No. 6), filed September 13, 1976. Applicant: WILLIAMS REFRIGERATED EXPRESS, INC., P.O. Box 47, Old Denton Road, Federalsburg, Md. 21632. Applicant's representative: Chester A. Zyblut, 366 Executive Building, 1030 15th Street, N.W., Washington, D.C. 20005. Authority sought to operate

as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods, food products, food ingredients, and products requiring mechanical refrigeration* (except in bulk), (1) from the warehouses of Beatrice Foods Co., located at Scranton, Pa., and at or near Allentown, Pa., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia, and the District of Columbia, restricted to traffic originating at the above named origins and destined to the above named destinations; and (2) from points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Vermont, Rhode Island, Virginia, West Virginia, and the District of Columbia, to the warehouses of Beatrice Foods Co., located at Scranton, Pa., and at or near Allentown, Pa., restricted to traffic originating at the above named origins and destined to the above named destination points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held on a consolidated record at Washington, D.C.

No. MC 138274 (Sub-No. 33), filed August 4, 1976. Applicant: SHIPPERS BEST EXPRESS, INC., P.O. Box 15533, Salt Lake City, Utah 84115. Applicant's representative: Chester A. Zyblut, 366 Executive Building, 1030 Fifteenth Street, NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and articles distribution by meat packinghouses*, as described in Section A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Salt Lake City, Utah, to points in Arizona, California, Colorado, Nebraska, Nevada, Oregon, Texas, and Washington.

NOTE.—Applicant holds contract carrier authority in No. MC-138056 (Sub-No. 1), therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 138415 (Sub-No. 14), filed September 9, 1976. Applicant: TRAILER EXPRESS, INC., Box 327, Topeka, Ind. 46571. Applicant's representative: Michael M. Yoder, Box 321, Topeka, Ind. 46571. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Camping trailers*, from the plantsite of The Coleman Company, Inc., located in Somerset, Pa., to points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with The Coleman Company, Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C.; Chicago, Ill. or Indianapolis, Ind.

No. MC 138469 (Sub-No. 28), filed September 9, 1976. Applicant: DONCO CARRIERS, INC., 641 N. Meridian, P.O.

Box 75254, Oklahoma City, Okla. 73107. Applicant's representative: Jack H. Blanshan, 205 West Touhy Avenue, Suite 200, Park Ridge, Ill. 60066. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass, flat not bent, and glass, glazing units*, from the facilities of or utilized by Guardian Industries Corporation, located at or near Carleton, Mich., to points in the United States (except the Lower Peninsula of Michigan, Alaska and Hawaii), restricted to the transportation traffic originating at the above named origin.

NOTE.—Applicant holds contract carrier authority in MC 136375 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Detroit, Mich.; Toledo, Ohio or Chicago, Ill.

No. MC 138898 (Sub-No. 2), filed September 1, 1976. Applicant: GEORGE A. PAYNE, INC., Box 161, Canandaigua, N.Y. 14424. Applicant's representative: S. Michael Richards, P.O. Box 225, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Piano parts*, from East Rochester, N.Y., to Oregon, Ill.; (2) *piano plates, iron and steel*, from Randolph, N.Y., to Oregon, Ill.; and (3) *veneers and lumber*, used in the manufacture of pianos, from points in Wisconsin, Illinois, and Michigan, to East Rochester, N.Y.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Buffalo, or Rochester, N.Y.

No. MC 139084 (Sub-No. 11), filed August 17, 1976. Applicant: BIG VALLEY SUPPLY & ENTERPRISES, LTD., 8516 40th Street, S.E., P.O. Box 8100, Station F, Calgary, Alberta, Canada T2J 2V2. Applicant's representative: David R. Parker, 2310 Colorado State Bank Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags, from points in Alberta, Canada through ports of entry on the International Boundary line between the United States and Canada located in Idaho, Minnesota, Montana, North Dakota, and Washington, to points in California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Oregon, South Dakota, Washington, Wisconsin, and Wyoming, restricted to traffic originating at points in the Province of Alberta, Canada.

NOTE.—Applicant holds contract carrier authority in MC 133593 and (Sub-No. 3), therefore dual authority may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Denver, Colo. or Billings, Mont.

No. MC 140581 (Sub-No. 5), filed September 7, 1976. Applicant: TOMMY HAGWOOD, doing business as HAGWOOD ENTERPRISES, Route No. 1, P.O. Box 222-A, Trafford, Ala. 35172.

Applicant's representative: William P. Jackson, Jr., 3426 North Washington Boulevard, P.O. Box 1267, Arlington, Va. 22210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used motor vehicles*, in truckaway service, between Los Angeles, Calif., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Tennessee, South Carolina, Vermont, Virginia and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 140829 (Sub-No. 23), filed September 13, 1976. Applicant: CARGO CONTRACT CARRIER CORP., P.O. Box 206, U.S. Highway 20, Sioux City, Iowa 51102. Applicant's representative: William J. Hanlon, 55 Madison Avenue, Morristown, N.J. 07960. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from the plantsite or storage facilities utilized by Maverick Beef Packers, at or near Eagle Pass, Tex., to points in Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Oklahoma, Ohio, Pennsylvania, Rhode Island, South Dakota, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—Applicant holds contract carrier authority in MC 136408 and subs thereunder.

No. MC 140829 (Sub-No. 24), filed September 13, 1976. Applicant: CARGO CONTRACT CARRIER CORP., P.O. Box 206, U.S. Highway 20, Sioux City, Iowa 51102. Applicant's representative: William J. Hanlon, 55 Madison Avenue, Morristown, N.J. 07960. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat by-products, and articles distributed by meat packinghouses*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from the plantsites and warehouse facilities utilized by Midstates Industries, Inc., at Sioux City, Iowa, to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Texas, Vermont, and Washington, D.C. restricted to the transportation of traffic originating at the named origin and destined to points in the above named destination states.

NOTE.—Applicant holds contract carrier authority in MC 136408 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 140850 (Sub-No. 2) filed September 13, 1976. Applicant: JERRY STEWARD TRUCKING, INC., 2512 State Street, Cedar Falls, Iowa 50613. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feedstuffs, health aids, and feed ingredients*, (1) between Waterloo, Iowa, on the one hand, and, on the other, points in Illinois, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin, restricted to traffic originating at or destined to the facilities of Geerlings Feed Mills, Inc. located at Waterloo, Iowa, (2) from the facilities of Kent Feeds, Inc. and Grain Processing Corporation located at Muscatine, Iowa, to Marshall, Mo., (3) from Kansas City, Mo., to the facilities of Kent Feeds, Inc. located in Muscatine, Iowa, (4) between Marshall, Mo., on the one hand, and, on the other, points in Arkansas, Illinois, Iowa, Kansas, Nebraska, and Oklahoma, (5) between Altoona and Des Moines, Iowa, on the one hand, and, on the other, points in Illinois, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin; and (6) between Waterloo, Iowa, on the one hand, and, on the other, points in Illinois, Minnesota, Missouri, Nebraska, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa.

No. MC 140869 (Sub-No. 6) filed September 3, 1976. Applicant: KERRI TRUCKING, INC., 162 Closter Dock Road, Closter, N.J. 07624. Applicant's representative: Eugene M. Malkin, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Synthetic yarns*, from Dayton, Tenn., to Philadelphia, Pa.; and (2) *rugs, carpets and carpet padding*, from Philadelphia, Pa. and Trenton, N.J., to points in Alabama, Georgia, Kentucky, Tennessee and West Virginia; (1) and (2) above are under a continuing contract, or contracts, with General Felt Industries, Inc. of Saddlebrook, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y. or Washington, D.C.

No. MC 141613 (Sub-No. 2) filed September 9, 1976. Applicant: CLIFFORD WILSON, doing business as C. W. TRANSPORTATION COMPANY, 6628 Priam Drive, Bell Gardens, Calif. 90201. Applicant's representative: Clifford Wilson (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers, wood and wire combined, knocked down, nested, and materials and supplies* used in the manufacturing thereof, between

White City, Oreg., on the one hand, and, on the other, points in California, under a continuing contract, or contracts, with Martin Bros. Container & Timber Products Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either San Francisco or Los Angeles, Calif.

No. MC 141641 (Sub-No. 2) filed August 30, 1976. Applicant: WILSON CERTIFIED EXPRESS, INC., P.O. Box 717, Marshall, Mo. 65340. Applicant's representative: Donald L. Stern, Suite 530 Univac Bldg., Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such articles* as are dealt in by retail department stores (except foodstuffs and commodities in bulk), from points in Connecticut, Georgia, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina and Tennessee, to Akron, Canton and Mansfield, Ohio, restricted to traffic destined to the facilities and/or warehouses of, or utilized by, O'Neil's located at the above named destination points.

NOTE.—Applicant holds contract carrier authority in No. MC 136168 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Washington, D.C.

No. MC 141764 (Sub-No. 2) filed August 27, 1976. Applicant: BLACKHAWK ENTERPRISES, INC., 853 Hancock Street, Hayward, Calif. 94544. Applicant's representative: William D. Taylor, 100 Pine Street, Suite 2550, San Francisco, Calif. 94111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cleaning compounds, food supplements, vitamins, cosmetics, plastic articles, printed materials and merchandise*, from Hayward, Calif., to Lyndhurst, N.J.; and (2) *empty bottles or jars*, from Baltimore, Md., and Millville, N.J., to Hayward, Calif., under a continuing contract, or contracts, with Shaklee Industrial Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 141804 (Sub-No. 22), filed September 13, 1976. Applicant: WESTERN EXPRESS, division of Interstate Rental, Inc., P.O. Box 422, Goodlettsville, Tenn. 37072. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68509. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty glass or plastic bottles and/or containers and articles* used in the closure thereof, in packages, from the plant sites of Carr-Lowrey Glass Co., located at Baltimore, Md., Wheaton Glass Co., located at Millville, N.J., Tech Industries, Inc., located at Woonsocket, R.I., and Sterling Seal Division of Ethyl Corp., located at Erie, Pa., to points in California and Phoenix, Ariz., restricted to traffic originating at the above locations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles, Calif. or Lincoln, Nebr.

No. MC 141804 (Sub-No. 25), filed September 13, 1976. Applicant: WESTERN EXPRESS, DIVISION OF INTERSTATE RENTAL, INC., P.O. Box 422, Goodlettsville, Tenn. 37072. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68509. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tobacco products*, from the plantsite and storage facilities utilized by Lorillard, located at or near Greensboro, N.C. and Louisville, Ky., to points in Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, Wyoming and El Paso, Tex., restricted to shipments originating at the above named origins.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif. or Nashville, Tenn.

No. MC 141979 (Sub-No. 2) (Correction), filed August 9, 1976, published in the FEDERAL REGISTER issue of September 16, 1976, republished as corrected this issue. Applicant: JOHN M. HARRIS, JR., Box 116, Buckingham, Va. 23921. Applicant's representative: Carroll B. Jackson, 1810 Vincennes Road, Richmond, Va. 23229. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Kyanite, kyanite ore, mulite, and materials, supplies and equipment* used in the manufacture, distribution and sales of kyanite, kyanite ore, and mulite (except commodities in bulk in tank vehicles), between the plantsites of Kyanite Mining Corporation located at Appomattox, Buckingham and Prince Edward Counties, Va., on the one hand, and, on the other, points in California, Colorado, Illinois, Indiana, Maryland, Michigan, Missouri, New York, North Carolina, Ohio, Oregon, Kansas, Georgia, South Carolina, New Jersey, Pennsylvania, Texas, Utah and Wisconsin.

NOTE.—The purpose of this republication is to include Utah in the territorial description as being a destination point. If a hearing is deemed necessary, the applicant requests it be held at either Richmond, Va., or Washington, D.C.

No. MC 142008 (Sub-No. 2), filed September 13, 1976. Applicant: WILLIAM C. THOMAS, Route 1, Box 189, Trappe, Md. 21673. Applicant's representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, N.J. 08904. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic garden hose, and rolls of plastic*, from shipper's plants located in Brooklyn, N.Y., and Belleville, N.J., to points in Georgia, Illinois, Massachusetts, Missouri, North Carolina, South Carolina, Tennessee, and Virginia; and (2) *scrap plastics*, from points in Georgia, Illinois, Massachusetts, Missouri, North Carolina, South Carolina, Tennessee and Virginia, to shipper's plants located in Brooklyn, N.Y., and

Belleville, N.J., under a continuing contract, or contracts, with Plymouth Apex Company, Inc., and its subsidiary, Flexon Industries Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Newark, N.J. or New York, N.Y.

No. MC 142108 (Sub-No. 1) filed September 2, 1976. Applicant: AVON COR-RUGATED CORP., Campanelli Circle, Canton, Mass. 02021. Applicant's representative: Robert J. Gallagher, 1000 Connecticut Ave., N.W., Suite 1200, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *bulk crackers* which consist of flour, shortening, malt, and salt, from Macon, Ga. to Canton, Mass., under a continuing contract or contracts with Handy Pak Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 142136 (Sub-No. 1) filed September 13, 1976. Applicant: DONALD M. FOSTER, doing business as D & E TRAILER TRANSPORT, 777 Temescal Street, Space 120, Corona, Calif. 91720. Applicant's representative: William J. Monheim, 15942 Whittier Boulevard, P.O. Box 1756, Whittier, Calif. 90609. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, not exceeding eight (8) feet in width, in truck-away service, from points in Orange and San Bernardino Counties, Calif., to points in Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 141804 (Sub-No. 24) filed September 13, 1976. Applicant: WESTERN EXPRESS, DIVISION OF INTER-STATE RENTAL, INC., P.O. Box 422, Goodlettsville, Tenn. 37072. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68509. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are used or dealt in by retail donut stores, from the plantsite and storage facilities of Winchell's Donut House, Inc., located at or near La Mirada, Calif., to points in the United States on and east of U.S. Highway 85 (except Franklin Park, Ill.), restricted to traffic originating at the above named plantsite.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles, Calif. or Lincoln, Nebr.

No. MC 14237 (Sub-No. 2) filed September 13, 1976. Applicant: PERMIT HAULERS, INC., 2400 Cold Springs Road, Fort Worth, Tex. 76106. Applicant's representative: Billy R. Reid, P.O. Box 9093, Fort Worth, Tex. 76107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in hydraulic

dump vehicles, from points in Oklahoma, to points in Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Fort Worth or Dallas, Tex.

No. MC 142289 (Sub-No. 2) filed September 2, 1976. Applicant: HECHT BROTHERS, INC., 2075 Lakewood Rd., Toms River, N.J. 08753. Applicant's representative: Rita Tripodi (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass, formica panels, prefab woodwork, architectural trim, plastic and wooden trim, prefab shutters, plastic shutters, prehung doors and prehung windows, hardware, and materials and supplies* used in connection therewith (except crated commodities), from Lakewood, N.J., to the warehouse site of Level Line Inc. located at or near Allentown, Pa.; and (2) *returned and rejected materials*, from the warehouse site of Level Line, Inc. located at or near Allentown, Pa., to Lakewood, N.J., under a continuing contract, or contracts, with The Level Line, Inc. located at Lakewood, N.J.

NOTE.—Applicant holds common carrier authority in No. MC 59570 and cubs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa. or New York City, N.Y.

No. MC 142353 (Sub-No. 1) filed September 14, 1976. Applicant: ADAMS SAND COMPANY, INC., Highway 90, General Delivery, Mossy Head, Fla. 32434. Applicant's representative: Edward Adams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hicalcium lime and dolomite lime*, from Marianna and Mossy Head, Fla., to points in Georgia and Alabama bounded on the east by Interstate Highway 75, on the south by U.S. Highway 98 and on the west by Interstate Highway 65; and (2) *fertilizer*, from Cottondale and Pensacola, Fla., to the destination points named in (1) above.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Tallahassee, Jacksonville or Dothan, Fla.

No. MC 142381 (Sub-No. 1) filed August 31, 1976. Applicant: WAYNE E. BELL, an individual, doing business as, WAYNE BELL, Box 34, Colusa, Ill. 63229. Applicant's representative: Edward G. Pree, 904-5 Myers Bldg., Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feed and feed ingredients*, in open top vehicles, from points in Iowa on and south of U.S. Highway 30 ad on or east of U.S. Highway 69; from Hannibal, Mexico, Montgomery City, Marshall and Smithton, Mo.; and Kansas City, Kans., to the facilities of Cargill, Inc. located at or near Carthage, Ill., under a continuing contract, or contracts, with Cargill, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Louis, Mo. or Chicago, Ill.

No. MC 142399 filed August 18, 1976. Applicant: ELLERBROCK TRUCKING INC., Highway 20 East, P.O. Box 6, Sac City, Iowa 50583. Applicant's representative: Paul Ellerbrock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery, and parts, materials and supplies* used in the manufacture thereof, between points in the territory bounded by a line beginning at Omaha, Nebr., thence over Interstate Highway 29 to Sioux City, Iowa, thence over U.S. Highway 75 to junction Iowa Highway 60, thence along Iowa Highway 60 to Interstate Highway 90, thence along Interstate Highway 90 to junction U.S. Highway 71, thence along U.S. Highway 71 to Jackson, Iowa, thence over U.S. Highway 71 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction Interstate Highway 35, thence over Interstate Highway 35 to junction U.S. Highway 20, thence over U.S. Highway 20 to Parkersburg, Iowa, thence over Iowa Highway 14 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 65, thence over U.S. Highway 65 to Des Moines, Iowa, thence over Interstate Highway 235 to junction Interstate Highway 80, thence over Interstate Highway 80 to Omaha, Nebr., including service to points in all cities named, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr., Des Moines, or Sioux City, Iowa.

No. MC 142401 filed August 18, 1976. Applicant: OCEAN TERMINALS, INC., 322 Grosvenor House, Seattle, Wash. 98121. Applicant's representative: Joseph Burns (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities of unusual value and Classes A and B explosives), (1) between points in the Port of Tacoma, Wash.; and (2) between points in the Port of Tacoma, Wash., on the one hand, and, on the other points in the City of Tacoma, Wash., restricted to traffic having a prior or subsequent movement by water to or from Alaska.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

No. MC 142411 filed September 8, 1976. Applicant: LARRY DEAN FRIESE, doing business as FRIESE CONSTRUCTION COMPANY, Route No. 2, P.O. Box 190B, Daphne, Ala. 36526. Applicant's representative: Robert E. Tate, P.O. Box 517, Evergreen, Ala. 36401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel, asphalt and road base materials*, in bulk, in dump vehicles, from points in Baldwin, Mobile, Escambia, Monroe, Conecuh, Clark, and Washington Counties, Ala., to points in Florida on and west of U.S. Highway 231 and points in Mississippi on and south of U.S. Highway 80.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Mobile, Ala. or Atlanta, Ga.

No. MC 142426, filed August 25, 1976. Applicant: C. T. DYKES, doing business as DYKES GARAGE, 2200 W. Vickery, Fort Worth, Tex. 76102. Applicant's representative: M. Ward Bailey, 2412 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Wrecked, disabled or repossessed motor vehicles, trailers or semi-trailers*; and (b) *replacement vehicles to replace wrecked or disabled motor vehicles, trailers or semi-trailers*, between points in Texas on the one hand, and, on the other, points in Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, New Mexico and Oklahoma.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas or Fort Worth, Tex.

No. MC 142429, filed September 7, 1976. Applicant: HORACE G. STROUD, doing business as STROUD TRUCK SERVICE, 11030 Weaver Street, South El Monte, Calif. 91733. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, in mechanically refrigerated equipment, (1) from points in Franklin and St. Lawrence Counties, N.Y., and points in Minnesota and Wisconsin, to points in California; and (2) from points in Wisconsin, to points in Cache County, Utah, under a continuing contract, or contracts, with F. L. Bolzern Company, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 142439, filed September 1, 1976. Applicant: TRUCKING SERVICES, INC., 26400 Van Born Road, Dearborn Heights, Mich. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and building materials*, between Livonia and Grand Rapids, Mich., and Michigan City, Ind., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania, West Virginia and Wisconsin, under a continuing contract, or contracts, with Erb Lumber Company.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich. or Chicago, Ill.

No. MC 142440, filed August 23, 1976. Applicant: SPURLING AVIATION, INC., 8403 Perimeter Road South, Seattle, Wash. 98188. Applicant's representative: Clyde H. MacIver, 1900 Peoples National Bank Building, 1415 Fifth Avenue, Seattle, Wash. 98171. Authority sought to op-

erate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between points in Pierce, King, Snohomish, Skagit, and Whatcom Counties, Wash., restricted to traffic having an immediately prior or subsequent movement by air, and further restricted to individual shipments weighing 500 pounds or less.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Bellingham, Everett, or Seattle, Wash.

No. MC 142434, filed August 30, 1976. Applicant: STEINWAY TRUCKING, INC., 41-06 Nineteenth Avenue, Astoria, N.Y. 11105. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building glass*, from points within the New York, N.Y. Commercial Zone, as defined by the Commission in the fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451 within which local operations may be conducted under the exemption provided in Sections 203(b)(8) of the Act (the exempt zone), to points in Connecticut, New Jersey, Massachusetts, Rhode Island, and that part of Pennsylvania on and east of U.S. Highway 15, and that part of New York within 100 miles of New York, N.Y.

NOTE.—Applicant holds contract carrier authority in MC 36629, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 142443, filed September 8, 1976. Applicant: HOLSTON BROTHERS, INC., 13711 Travilah Road, Rockville, Md. 20850. Applicant's representative: Barry Roberts, 888 17th Street, NW., Suite 700, Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Potting soils, top soil, marble chips, limestone and chemical fertilizers*, and (2) *peat moss and manure*, otherwise except from economic regulations when moving in mixed loads with the commodities named in (1) above, (except commodities in bulk), from Sussex and Newton, N.J., Toughkenamon, Pa., and points in Montgomery County, Md., to points in Maryland and Virginia, under a continuing contract or contracts, with Continental Peat Company and Leafco.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 142448, filed August 30, 1976. Applicant: W & T TRUCKING, 95 McKinley Avenue, Lodi, N.J. 07644. Applicant's representative: Walter Woods, 103 McKinley Avenue, Lodi, N.J. 07644. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Envelopes*, from South Hackensack, N.J., to New York

City and Long Island, N.Y., under a continuing contract, or contracts, with Tension Envelopes located at South Hackensack, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Newark, N.J.

No. MC 142450, filed August 25, 1976. Applicant: DE ANZA DELIVERY SYSTEM, INC., P.O. Box 1119, San Jose, Calif. 95113. Applicant's representative: Edward J. Hegarty, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by department stores and mail order houses (except commodities in bulk and commodities requiring special equipment), between warehouses and distribution terminals of Montgomery Ward, located at San Leandro, Sacramento, Fresno, San Diego, Los Angeles and Garden Grove, Calif., on the one hand, and, on the other, points in California, under contract with Montgomery Ward.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 142450 (Sub-No. 1), filed August 25, 1976. Applicant: DE ANZA DELIVERY SYSTEM, INC., P.O. Box 1119, San Jose, Calif. 95113. Applicant's representative: Edward J. Hegarty, 100 Bush Street, 21st Floor, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by department stores and mail order houses (except commodities in bulk and commodities requiring special equipment), between Los Angeles, Calif., on the one hand, and, on the other, points in California, restricted to services to be performed under a continuing contract or contracts with Sears Roebuck and Company. Note: If a hearing is deemed necessary, applicant requests it be held at either San Francisco or Los Angeles, Calif.

No. MC 142451, filed September 2, 1976. Applicant: JAMES L. SMITH AND JERRY ATTKISSON, a partnership, doing business as SMITH AND ATTKISSON TRUCKING COMPANY, Route 2, Columbia, Tenn. 38401. Applicant's representative: James N. Clay, III, 2700 Sterick Bldg., Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica gravel*, in bulk, in dump vehicles, from Franklin County, Ala., to Maury County, Tenn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Nashville or Memphis, Tenn.

No. MC 142483, filed September 7, 1976. Applicant: W & L MOTOR LINES, INC., State Road 1148, P.O. Box 28601, Hickory, N.C. 28601. Applicant's representative: Allen E. Bowman, P.O. Box 2607, Hickory, N.C. 28601. Authority sought to operate as a *contract carrier*, by motor

vehicle, over irregular routes, transporting: (1) *Communications cable* (except commodities in bulk and those which because of size or weight require special equipment), from the plantsite and manufacturing facilities of COMM/SCOPE Company, located at or near Sherrills Ford, N.C., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming; and (2) *materials and supplies*, used in the manufacture of the commodity named in (1) above (except commodities in bulk and those which because of size or weight require special equipment), from Arkansas, Illinois, Indiana, Kansas, Louisiana, Missouri, Ohio, Texas and Wisconsin, to the origin point named in (1) above, under a continuing contract, or contracts, with COMM/SCOPE Company, Inc.

NOTE.—Applicant holds common carrier authority in MC-123872 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Charlotte, N.C. or Washington, D.C.

No. MC 142468, filed September 13, 1976. Applicant: TRANS-CON, INC., P.O. Box 1828, Anchorage, Alaska 99510. Applicant's representative: J. Max Harding, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities in bulk, and machinery, equipment, materials and supplies* used in or in connection with the exploration, discovery, drilling, development and production of natural gas and petroleum and their products and by-products, between points in Alaska, restricted to a transportation service to be performed under a continuing contract or contracts with Dowell, a Division of Dow Chemical Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Anchorage, Alaska.

No. MC 142469, filed September 9, 1976. Applicant: JERRY LEE BULLOCK, doing business as, BULLOCK TOWING, 101 Foothills Road, Lake Oswego, Oreg. 97034. Applicant's representative: Jerry R. Woods, 200 Market Bldg., Suite 1440, Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled vehicles and replacement vehicles* for wrecked and disabled vehicles, between points in Multnomah, Clackamas and Washington Counties, Oreg., on the one hand, and, on the other, points in California, Idaho and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg.

PASSENGER APPLICATIONS

No. MC 59717 (Sub-No. 8) (clarification), filed August 4, 1976, published in the FEDERAL REGISTER issue of September

9, 1976, republished as clarified this issue. Applicant: JACKSONVILLE BUS LINE COMPANY, a corporation, 2106 East Cornell Street, Springfield, Ill. 62703. Applicant's representative: Melvin Routman, 300 Relsh Building, Springfield, Ill. 62702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers, and their baggage* in the same vehicle with passengers, in charter and special operations, in all expense sightseeing and pleasure tours, between points in Hancock, McDonough, Fulton, Peoria, Tazewell, Mason, Menard, Sangamon, Cass, Brown, Schuyler, Adams, Morgan, Calhoun, Pike, Scott, Macoupin, Greene, Jersey, Montgomery, Madison, St. Clair, Logan, McLean, and Dewitt Counties, Ill., Marion, Lewis, and St. Louis Counties, Mo., including the St. Louis-East St. Louis, Mo.-Ill. Commercial Zone and Lee County, Iowa, on the one hand, and, on the other, points in the United States, including Alaska but excluding Hawaii.

NOTE.—The purpose of this republication is to clarify the territorial description in this proceeding. If a hearing is deemed necessary, the applicant requests it be held at Springfield, Ill. The application is filed with applicant's initial verified statements.

No. MC 124370 (Sub-No. 6), filed September 9, 1976. Applicant: ACE TRANSPORTATION CO., INC., P.O. Box 328, 1407 St. John Avenue, Albert Lea, Minn. 56007. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers and their baggage*, in the same vehicle with passengers; and (2) *baggage* of passengers in a separate vehicle, in charter operations, beginning and ending at points in Cerrito Gordo, Emmet, Floyd, Franklin, Hancock, Kossuth, Mitchell, Winnebago, Worth, and Wright Counties, Iowa, and extending to points in Colorado, Illinois, Kansas, Minnesota, Missouri, Montana, Nebraska, South Dakota, Wisconsin, and Wyoming, and points on the International Boundary line between the United States and the Republic of Mexico, restricted in (1) and (2) above to a transportation in school bus type vehicles.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 142373, filed August 2, 1976. Applicant: QUINTON NUNN, doing business as LUXURY CRUISE TO O'HARA, 2035 W. 15th Avenue, Gary, Ind. 46407. Applicant's representative: Thomas V. Barnes, 526 Washington, Street, Gary, Ind. 46402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in individual and group operations, between Gary, Ind., and O'Hara International Airport, located at Chicago, Ill. serving no intermediate points: From Gary over Interstate Highways 94 (also Interstate High-

way 80), to the O'Hara International Airport, and return over the same route.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Gary, Ind. or Chicago, Ill.

No. MC 142430, filed September 7, 1976. Applicant: WESTERN BUS LINES (PORT ALBERNI) LTD., 4521 10th Avenue North, Port Alberni, British Columbia, Canada. Applicant's representative: Michael B. Crutcher, 2000 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, when moving in the same vehicle with passengers, in round trip charter operations, beginning and ending with respect to those points located in the United States, at or near Port Angeles, Blaine, and Sumas, Wash., and the International Boundary line between the United States and Canada located at Port Angeles, Blaine, and Sumas, Wash., and extending to points in California, Nevada, Oregon, and Washington, restricted to traffic originating at and destined to Vancouver Island, B.C. Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

BROKER APPLICATIONS

No. MC 130408, filed August 25, 1976. Applicant: NORTH CENTRAL OHIO AAA, 377 West Liberty St., Wooster, Ohio 44691. Applicant's representative: Gerald P. Wadkowski, 85 East Gay St., Columbus, Ohio 43215. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Wooster, Orrville, Lodi, and Medina, Ohio, to sell or offer to sell the transportation of *passengers and their baggage*, in special and charter operations, in all expense tours, by motor, rail, and air, beginning and ending at points in Medina County, Ohio, and extending to points in the United States, including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Wooster, Medina, or Columbus, Ohio.

No. MC 130409, filed September 9, 1976. Applicant: CHARLOTTE VISITOURS, INC., 719 Madras Lane, Charlotte, N.C. 28211. Applicant's representative: Mary R. Brock (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Charlotte, N.C., to sell or offer to sell the transportation of individual passengers and groups of *passengers and their baggage*, in special and charter operations, in all expense tours, by motor carrier, beginning and ending at points in Mecklenburg County, N.C., and extending to points in Georgia, South Carolina, and Virginia, restricted to a maximum of two nights and 3 days per trip.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Charlotte, N.C.

No. MC 130410, filed August 30, 1976. Applicant: CORPORATE TRAVEL SERVICE, INCORPORATED, Suite 1202W, One Parklane Blvd., Dearborn, Mich. 48126. Applicant's representative: Joseph O. DiFranco (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Dearborn, Mich., to sell or offer to sell the transportation of *passengers and their baggage*, both as individuals and in groups by motor carriers, from points in the counties of Wayne, Oakland, Macomb, Genesee, Shiawassee, Livingston, Jackson, Washtenaw, Monroe, Lenawee, and Hillsdale, to points in the United States and Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich.

No. MC 130411, filed September 7, 1976. Applicant: B. J. MARSH, doing business as MARSH TRAVEL, 320-A South Kimbrough, Springfield, Mo. 65806. Applicant's representative: Christopher J. Stark, 1722-RR South Glenstone, Springfield, Mo. 65804. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Springfield and Nixa, Mo., to sell or offer to sell the transportation of *passengers*, as individuals and in groups, and *their baggage* in the same vehicle with passengers, in special and charter operations, by motor carrier, between points in Christian and Greene Counties, Mo., on the one hand, and, on the other, points in the United States, including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Springfield or Kansas City, Mo.

WATER CARRIER APPLICATION

No. W-1306 (Sub-No. 1), filed August 27, 1976. Applicant: PORT OF CASCADE LOCKS, P.O. Box 307, Cascade Locks, Oreg. 97014. Applicant's representative: R. L. Rombalski (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce as a *common carrier by water* in the transportation of *passengers*, in charter and special sight-seeing operations, by self-propelled tour boat, (1) between ports and points along the Columbia River from Astoria, Oreg., to Priest Rapids Dam in Washington; (2) between ports and points along the Willamette River from Salem, Oreg., to its confluence with the Columbia River at Portland, Oreg.; (3) between ports and points along the Snake River from its confluence with the Columbia River in Washington to the Hellgate Marina four miles up the Snake River from its confluence with the Clearwater River in Idaho; and (4) between ports and points along the Clearwater River from its confluence with the Snake River to river mile one.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg.

FINANCE APPLICATIONS

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, of rail carriers or motor carriers pursuant to Sections 5(2) or 210a(b) of the Interstate Commerce Act.

An original and two copies of protests against the granting of the requested authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protest shall comply with Special Rules 240(c) or 240(d) of the Commission's General Rules of Practice (49 CFR 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant, if no representative is named.

No. MC-F-11874 (Correction to notice published in the May 23, 1976, issue of the FEDERAL REGISTER). The order of Division 3 served August 13, 1976, as modified by the order of Division 3 served September 24, 1976, requires republication in the FEDERAL REGISTER of notice of the application. Notice should read as follows: Authority sought for control and merger by MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, PA 19050, of CF TANK LINES, INC., 175 Linfield Drive, Menlo Park, CA 94025, for acquisition by ROLLINS INTERNATIONAL INC., One Rollins Plaza, Wilmington, DE 19899, of control of CF TANK LINES, INC., through the acquisition by MATLACK, INC. Applicants' attorney and representatives: Harry C. Ames, Jr., Suite 805, 666 11th St., N.W., Washington, DC 20001, Allen H. Knouft, 10 W. Baltimore Ave., Lansdowne, PA 19050, and John C. Peet, Jr., P.O. Box 1791, Wilmington, DE 19899. Operating rights sought to be controlled and merged: *Commodities*, in bulk, in tank or hopper-type vehicles; compressed gas (other than liquified petroleum gas) in shipper-owned or government-owned compressed gas trailers; grain or feed, in bulk, in tank or hopper-type vehicle; acids and chemicals in bulk, in tank vehicles; petroleum products, in bulk, in tank or hopper vehicles; anhydrous ammonia, in bulk, in tank vehicles; animal feed, in tank or hopper vehicles; asphalt, asphalt emulsion and road oil in bulk, in tank vehicles; aviation gasoline, in bulk, in tank vehicles; cherries, in bulk, in brine, in tank vehicles; coconut oil fatty acids, in bulk, in tank vehicles; liquid sugar, in bulk, in tank vehicles, with certain specified exceptions, and numerous other specified bulk commodities, as a *common carrier*, over regular and irregular routes, including certain alternate routes for operating convenience only, from, to, and between specified points in all States in the United States (excluding Alaska, Hawaii, Maine, New Hampshire, South Carolina, and Vermont), including the District of Columbia, with certain restrictions, serving various intermediate

and off-route points, as more specifically described in Docket No. MC 136166 and subnumbers thereunder, and as held by CF TANK LINES, INC., pursuant to the Commission's report and order in No. MC-FC-72111, CF TANK LINES, Transferor, and Consolidated, Transferor, 109 M.C.C. 688 (1971). MATLACK, INC., is authorized to operate as a *common carrier* in all points of the United States (except Alaska and Hawaii). This notice does not purport to be a complete description of all of the operating rights of the carrier involved. If questions arise with respect to the specific authorities of applicants, inquiries should be made to the Commission in Washington, D.C., or at its field offices. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of CF TANK LINES, INC.'s Operating rights, without stating, in full, the entirety, thereof.

No. MC-F-12951. (Correction) B AND P MOTOR LINES, INC.—purchase—(B) Forest Dale Motors, Inc. and for—Control and Merger—with (BB) Shelby Motor Lines, Inc., published in the September 9, 1976 FEDERAL REGISTER. Notice should exclude the transaction involving B AND P Motor Lines Inc., request to purchase Forest Dale Motors Inc. Proceeding should be titled authority sought by B and P Motor Lines, Inc. to control and merge with Shelby Motor Lines, Inc.

No. MC-F-12953. (Correction) (RED BALL MOTOR FREIGHT, INC.—Purchase (portion)—Thunderbird Freight Lines, Inc. and Thunderbird Southwest Corporation), published in the September 16, 1976 FEDERAL REGISTER. Notice should read as follows: *between junction Arizona Highway 264 (formerly unnumbered highway) and unnumbered highway near St. Michaels, Ariz., and Fort Defiance, Ariz., serving all intermediate points instead of * * * between junction Arizona Highway 264 (formerly unnumbered highway) and unnumbered highway over unnumbered highway via Window Rock, Ariz., to Fort Defiance, and return over the same route.*

No. MC-F-12974. Authority sought for purchase by TAKIN BROS. FREIGHT LINES, INC., 2125 Commercial Street, Waterloo, Iowa, 50702, of a portion of the operating rights of Chi-Fli, Inc., 3611 South Normal Street, Chicago, IL, 60605, and for acquisition by Allen E. Kroblin, Thomas E. Kroblin, Loyal H. Frisch, and Kenneth L. Schadle, all of 2125 Commercial St., Waterloo, IA, 50702, of control of such rights through the purchase. Applicants' attorney and representatives: Allen E. Kroblin, President, 2125 Commercial St., Waterloo, IA, 50702, John P. Rhodes, Registered Practitioner, 2125 Commercial St., Waterloo, IA, 50702, and H. Neil Garson, Attorney, 1400 North Uhle St., Arlington, VA, 22201. Operating rights sought to be transferred: General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by

the Commission, commodities in bulk, and those requiring special equipment, as a *common carrier* over irregular routes between Whiting, Ind. (except those points in the Whiting, Ind. Commercial Zone), on the one hand, and, on the other, Louisville, Ky., and points in Indiana. Vendee is authorized to operate as a *common carrier* in Connecticut, Illinois, Indiana, Iowa, Kentucky, Massachusetts, Nebraska, New Jersey, New York, and Rhode Island. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12985. Authority sought for purchase by B and P MOTOR LINES, INC., 710 Oakland Road, P.O. Box 741, Forest City, N.C., 28043 of the operating rights of Forest Dale Motors, Inc., Route 4, Box 374, Forest City, N.C. 28043, and for acquisition by R. D. Workman, Coy Lambert and Alma Mooree Workman, all of the Forest City, N.C., 28043, address of control of such rights through the purchase. Applicant's attorney: Clyde W. Carver, Suite 212, 5299 Roswell Road, NE., Atlanta, GA., 30342. Operating rights sought to be transferred: *New Furniture, crated and uncrated, and furniture parts*, as a *common carrier* over irregular routes from points in McDowell County, North Carolina to points in Rutherford County, North Carolina with no transportation for compensation on return except as otherwise authorized; from Forest City, Rutherford County, North Carolina to points in that part of North Carolina west of U.S. Highway 220, with no transportation for compensation on return except as otherwise authorized. Vendee is authorized to operate as a *common carrier* in all the States in the United States including District of Columbia but excluding Alaska and Hawaii. Application has been filed for temporary authority under Section 210a(b).

NOTE.—No. MC-106074 (Sub-Nos. 26 and 27) is a directly related matter.

No. MC-F-12887. Authority sought for control by JOHN L. ANTHONY AND CHARLES H. MCCANTA, (both non-carriers), as individuals, 5050 First Avenue South, Seattle, Washington, 98134 of (B) Western Cartage, Inc., and (BB) Amac Trucking Incorporated, dba ATI, both located at 5050 First Avenue South, Seattle, Washington, 98134, and for acquisition by Charles H. McCanta and John L. Anthony, both of 5050 1st Ave., So., Seattle, WA., 98134, of control of (B) Western Cartage, Inc., and (BB) Amac Trucking Incorporated, dba ATI, by the acquisition by Charles H. McCanta and John L. Anthony. Applicants' attorney: George H. Hart, 1100 IBM Building, Seattle, WA., 98101. Operating rights sought to be controlled: (B) *General commodities*, except household goods as defined by the Commission and commodities in bulk, as a *common carrier* over irregular routes from Seattle, Wash., to points in King, Pierce, and Snohomish Counties, Wash., with no transportation for compensation or return except as

otherwise authorized, with restrictions. On September 17, 1976 the applicants filed a petition to eliminate the dual operation problem between Western Cartage, Inc. and Amac Trucking Incorporated by imposing the following restriction on Western's Sub-No. 2 authority: restriction: Restricted against the transportation of traffic which either originates at or is destined to premises owned, or operated by Sears Roebuck & Co. (BB) *Such merchandise as is dealt in by mail order houses and retail stores, and equipment, materials, and supplies used in the conduct of such business as a contract carrier over irregular routes between Seattle, Wash., on the one hand, and, on the other, Arlington, Bellingham, Bremerton, Chehalis, Cle Elum, Ellensburg, Enumelaw, Ephrata, Everett, Grandview, Lakewood, Longview, Marysville, Monroe, Moses Lake, Mount Vernon, Olympia, Pasco, Prosser, Puyallup, Richland, Snohomish, Spokane, Summer, Sunny-side, Tacoma, Union Gap, and Walla Walla, Wash.; Albany, Baker, Corvallis, Eugene, Hermiston, La Grande, Ontario, Pendleton, Portland, Salem, and Woodburn, Oreg.; and American Falls, Blackfoot, Boise, Burley, Caldwell, Coeur d'Alene, Idaho Falls, Mountain Home, Nampa, Pocatello, and Twin Falls, Idaho, John L. Anthony and Charles H. McCanta hold no authority from this Commission. However, applicants jointly own, in equal shares all of the capital stock in Western Cartage, Inc., and are also controlling stockholders of Amac Trucking Incorporated. Application has not been filed for temporary authority under section 210a(b).*

No. MC-F-12988. Authority sought for merger by SMITH'S TRANSFER CORPORATION, P.O. Box 1000, Staunton, VA., 24401 with Brady Motorfrate, Inc., 2150 Grand Avenue, Des Moines, IA., 50312, and for acquisition by R.R. Smith, P.O. Box 1000, Staunton, VA., 24401, of control of such rights through the merger. Applicants' attorney: Francis W. McInerney, Suite 502, Solar Building, 1000 16th Street, NW., Washington, D.C., 20036. Operating rights sought to be merged: *General commodities*, with certain specified exceptions, and numerous other specified commodities, as a *common carrier*, over regular and irregular routes, from, to, and between specified points in the States of Missouri, Illinois, Nebraska, Iowa, Minnesota, Ohio, South Dakota, Kansas, Kentucky, Indiana, Michigan, Kansas, Wisconsin, Maryland, New Jersey, New York, Pennsylvania, West Virginia, Delaware, Connecticut, Massachusetts, Rhode Island, and the District of Columbia, with certain restrictions, serving various intermediate and off-route points, over three alternate routes for operating convenience only, and more specifically described in Docket No. MC 52110 and Sub-numbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is be-

lieved to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety thereof. Vendee is authorized to operate as a *common carrier* in Connecticut, Delaware, The District of Columbia, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, and Wisconsin.

Application has not been filed for temporary authority under section 210a(b).

NOTE.—In MC-F-11851, a decision and order was served on December 11, 1974 granting Smith's Transfer Corporation control of Brady Motorfrate, Inc.

NOTICE

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, 114 Sansome Street, San Francisco, California 94104, represented by Mr. Frederick G. Pfommer, General Attorney, The Atchison, Topeka and Santa Fe Railway Company, 114 Sansome Street, San Francisco, California 94104 hereby give notice that on the 23rd day of September, 1976, it filed with the Interstate Commerce Commission at Washington, D.C., an application under Section 5(2) of the Interstate Commerce Act for an order approving and authorizing the acquisition of trackage rights over a line of railroad of the Southern Pacific Transportation Company between Richmond, Contra Costa County, and Oakland, Alameda County, California, a distance of approximately 8.5 miles. The application has been assigned Finance Docket No. 28300. In Docket No. AB-52 (Sub-No. 8), applicant filed a directly related application for authority to abandon a line of railroad between Richmond, Contra Costa County, and Oakland, Alameda County, California.

Approval of the application will be consistent with the public interest in that it will enable applicant to remove a line located in significant part in residential areas and transfer operations currently conducted on that line to a line of Southern Pacific which is better located and better suited for the purpose. The consummation of the related trackage rights and abandonment proposals will result in a minimal loss of traffic and a minimal increase in the use of alternate transportation modes. It will eliminate safety hazards attendant with 59 street crossings at grade, transferring the operation to a line with only 15 crossings at grade. It will also allow removal of rails located in part within the streets of the City of Berkeley, long considered by the residents of that city as a safety hazard and a psychological barrier dividing residential areas within the community.

In the opinion of the applicant, the authority sought by these applications will have no significant effect upon the quality of the human environment within

the meaning of the National Environmental Policy Act of 1969.

In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), Implementation—National Environmental Policy Act, 1969, 352 I.C.C. 451 (1976), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall indicate with specific data the exact nature and degree of the anticipated impact. See Implementation—National Environmental Policy Act, 1969, supra, at p. 487.

Pursuant to the provisions of the Interstate Commerce Act, as amended, the proceeding will be handled without public hearings unless comments in support or opposition on such application are filed with the Secretary, Interstate Commerce Commission, 12th and Constitution Avenue, N.W., Washington, D.C. 20423, and the aforementioned counsel for applicant, within 45 days after date of first publication in the Federal Register; that such comments shall be served upon (a) Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Room 5101, 400 Seventh Street, S.W., Washington, D.C. 20590, (b) Mr. Edward H. Levi, Attorney General, Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530, and certificate of all such service is given to the Interstate Commerce Commission; and that all other applications, which are inconsistent, in whole or in part, with such applications, and all petitions for inclusion in the transaction, shall be filed with the Commission and furnished to the Docket Clerk, Secretary of Transportation, within 90 days after the publication of notice of the application in the FEDERAL REGISTER.

THE ATCHISON, TOPEKA AND SANTA FE
RAILWAY COMPANY

OPERATING RIGHTS APPLICATIONS DIRECTLY
RELATED TO FINANCE PROCEEDINGS

NOTICE

The following operating rights applications are filed in connection with pending finance applications under Section 5(2) of the Interstate Commerce Act, or seek tacking and/or gateway elimination in connection with pending transfer applications under Section 212(b) of the Interstate Commerce Act.

An original and two copies of protests to the granting of the authorities must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protests shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR § 1100.247) and include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon applicant's

representative, or applicant if no representative is named.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its applications.

No. MC 4491 (Sub-No. 17), filed August 25, 1976. Applicant: GREAT COASTAL EXPRESS, INC., 501 South 14th Street, Richmond, Va. 23219. Applicant's representative: David G. MacDonald, 10000 16th Street, NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) Between Charlottesville, Va. and Roanoke, Va.: From Charlottesville, Va. over U.S. Highway 250 to junction Interstate Highway 81, thence over Interstate Highway 81 to Roanoke, Va., and return over the same route; (2) Between State Road, Del. and Norfolk, Va.: (a) From State Road, Del. over U.S. Highway 40 to Baltimore, Md., thence over U.S. Highway 1 to Richmond, Va., thence over Interstate Highway 64 to Norfolk, Va., and return over the same route; and (b) From State Road, Del. over connecting Highway to junction Interstate Highway 95, thence over Interstate Highway 95 to Richmond, Va., thence over Interstate Highway 64 to Norfolk, Va., and return over the same route; (3) Between Washington, D.C. and Charlottesville, Va.: From Washington, D.C. over Interstate Highway 95 to Richmond, Va., thence over Interstate Highway 64 to Charlottesville, Va., and return over the same route; and (4) Between Washington, D.C. and Lynchburg, Va.: From Washington, D.C. over Interstate Highway 95 to junction U.S. Highway 360, thence over U.S. Highway 360 to junction U.S. Highway 460, thence over U.S. Highway 460, to Lynchburg, Va., and return over the same route.

NOTE.—This is a matter directly related to a Section 5(2) finance proceeding in MC-F-12942 published in the FEDERAL REGISTER issue of September 2, 1976. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 73165 (Sub-No. 391), filed August 13, 1976. Applicant: EAGLE MOTOR LINES, INC., 830 N. 33rd St., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: William P. Parker (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Houston, Tex., to points in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateways of Hope, Ark., points in Arkansas or Louisiana along the Mississippi and Tennessee Rivers.

NOTE.—This is a matter directly related to a Section 5(2) finance proceeding in MC-F-

12877, published in the FEDERAL REGISTER issue of July 22, 1976. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Birmingham, Ala.

No. MC 119914 (Sub-No. 21), filed June 28, 1976. Applicant: MINNESOTA-WISCONSIN TRUCK LINES, INC., 965 Eustis Street, St. Paul, Minn. 55114. Applicant's representative: William S. Rosen, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) Between the Minneapolis-St. Paul, Minn., Commercial Zone, and Moose Lake, Minn., serving the intermediate point of Rutledge and the off-route points of Rush City, Rock Creek, Pine City, Beroun, Hinckley, Friesland, Sandstone, Willow River, Sturgeon Lake, Duxbury, St. Croix State Forest, and St. Croix Park, Minn.: (a) From Minneapolis-St. Paul over U.S. Highway 61 to Moose Lake, and return over the same route; and (b) From Minneapolis-St. Paul over Interstate Highway 35 to Moose Lake, and return over the same route; and (2) Between Rush City, Minn., and Duluth, Minn., serving the off-route points of Rock Creek, Pine City, Beroun, and Hinckley, Minn.: (a) From Rush City to Duluth over U.S. Highway 61, and return over the same route; and (b) From Rush City over Interstate Highway 35 to Duluth, and return over the same route, restricted in (1) and (2) against the transportation of traffic originating at, destined to, or interlined at Duluth, Minn., and points in its commercial zone, as defined by the Commission, on the one hand, and, on the other, originating at, destined to, or interlined at St. Paul, Minn., and points in its commercial zone, as defined by the Commission.

NOTE.—The purpose of this filing is to convert a Certificate of Registration to a Certificate of Public Convenience and Necessity. This matter is directly related to a Section 5(2) finance proceeding in MC-F-12856, published in the FEDERAL REGISTER issue of June 17, 1976. If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 129287 (Sub-No. 1), filed August 26, 1976. Applicant: EUGENE TRIPP, Route 4, Missoula, Mont. 59801. Applicant's representative: Jeremy G. Thane, Savings Center Bldg., Missoula, Mont. 59801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and advertising materials* when travelling in the same vehicle with malt beverages, (a) from Seattle and Tacoma, Wash., to points in California, Idaho, Montana, and Wyoming; and (b) from Azusa and San Francisco, Calif., St. Paul, Minn., and Milwaukee, Wis., to Great Falls, Billings, Butte and Helena, Mont.; and (2) *empty containers*, from points in California, Idaho, Montana, and

Wyoming to Seattle and Tacoma, Wash.; Azusa and San Francisco, Calif.; St. Paul, Minn.; and Milwaukee, Wis.

NOTE.—The purpose of this application is to convert a Permit to a Certificate of Public Convenience and Necessity. This is a matter directly related to a Section 5(2) finance proceeding in MC-F-12958 published in the FEDERAL REGISTER issue of September 23, 1976. If a hearing is deemed necessary, the applicant requests it be held at Missoula, Mont.

ABANDONMENT APPLICATIONS

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6) (a) of the Interstate Commerce Act that orders have been entered in the following abandonment applications which are administratively final and which found that subject to conditions the present and future public convenience and necessity permit abandonment.

A Certificate of Abandonment will be issued to the applicant carriers 30 days after this FEDERAL REGISTER publication unless the instructions set forth in the notices are followed.

[Docket No. AB-6 (Sub-No. 37)]

BURLINGTON NORTHERN, INC. ABANDONMENT BETWEEN CARLTON AND WEST DULUTH IN CARLTON AND ST. LOUIS COUNTIES, MINNESOTA

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6) (a) of the Interstate Commerce Act (49 U.S.C. 1a(6) (a)) that by an order entered on August 19, 1976, a finding, which is administratively final, was made by the Commission, Commissioner Brown, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in Chicago, B. & Q. R. Co., Abandonment, 257 ICC 700, the present and future public convenience and necessity permit the abandonment by the Burlington Northern, Inc. of its line of railroad, a distance of approximately 14.59 miles, between milepost 130.82 near Carlton, Minnesota, and milepost 145.41 near West Duluth, Minnesota, on the north end of the line located in Carlton and St. Louis Counties, Minnesota. A certificate of abandonment will be issued to the Burlington Northern, Inc. based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) it is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such

line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad. If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-9 (Sub-No. 5)]

ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY—ABANDONMENT BETWEEN MULBERRY AND PITTSBURG, KANS., SERVING MINDENMINES, BARTON COUNTY, MO.

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6) (a) of the Interstate Commerce Act (49 U.S.C. 1a(6) (a)) that by an order entered on August 10, 1976, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in Chicago, B. & Q. R. Co., Abandonment, 257 ICC 700, the present and future public convenience and necessity permit the abandonment by the St. Louis-San Francisco Railway Company, Missouri, to Pittsburg, Crawford County, Kansas, and Barton County, Missouri, running in a southerly direction from milepost M-124.0 at Mulberry, Kansas, through Mindenmines, Barton County, Missouri, to Pittsburg, Crawford County, Kansas, at milepost M-136.7 a distance of approximately 14 miles. A certificate of abandonment will be issued to the St. Louis-San Francisco Railway Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) it is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad. If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-12 (Sub-No. 22)]

SOUTHERN PACIFIC TRANSPORTATION COMPANY ABANDONMENT IN THE CITY OF CLAREMONT, LOS ANGELES COUNTY, CALIFORNIA

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6) (a) of the Interstate Commerce Act (49 U.S.C. 1a(6) (a)) that by an order entered on August 31, 1976, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in Chicago, B. & Q. R. Co., Abandonment, 257 ICC 700, the present and future public convenience and necessity permit the abandonment by the Southern Pacific Transportation Company of a portion of its line from milepost 514.37 to milepost 515.42, a distance of 1.05 miles in the City of Claremont, Los Angeles County, California. A certificate of abandonment will be issued to the Southern Pacific Transportation Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to

enable the rail service involved to be continued; and

(2) it is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extension or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-28]

**CENTRAL OF GEORGIA RAILROAD COMPANY—
ABANDONMENT BETWEEN LAFAYETTE AND
ROANOKE, ALABAMA**

NOTICE OF FINDINGS

Notice is hereby given pursuant to Section 1a(6) (a) of the Interstate Commerce Act (49 U.S.C. 1a(6) (a)) that by an order entered on May 19, 1976, a finding, which is administratively final, was made by the Commission, Division 3, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in Chicago, B. & Q. R. Co., Abandonment, 257 I.C.C. 700, the present and future public convenience and necessity permit the abandonment by the Central of Georgia Railroad Company of operations of that portion of its line of railroad beginning at milepost T-339.66, near the northern edge of Lafayette, Alabama, to the end of the line at milepost T-358.42, at Roanoke, Alabama, a distance of 18.76 miles. A certificate of abandonment will be issued to the Central of Georgia Railroad Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) a financially responsible person (including a government entity) has of-

fered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) it is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

**MOTOR CARRIER ALTERNATE ROUTE
DEVIATIONS**

NOTICE

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Deviation Rules—Motor Carrier of Property (49 CFR 1042.4(c) (11)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of this Federal Register notice.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PROPERTY

No. MC-59206 (Deviation No. 5), HOLLAND MOTOR EXPRESS, INC., 750 E. 40th St., Holland, Mich. 49423, filed September 14, 1976. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kalamazoo, Mich., over

Interstate Highway 94 to junction Interstate Highway 69, thence over Interstate Highway 69 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Ohio Highway 15, thence over Ohio Highway 15 to junction U.S. Highway 127, thence over U.S. Highway 127 to Eaton, Ohio, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Kalamazoo, Mich., over U.S. Highway 131 to junction U.S. Highway 12, thence over U.S. Highway 12 to junction Michigan Highway 78, thence over Michigan Highway 78 to junction Indiana Highway 9, thence over Indiana Highway 9 to junction Indiana Highway 6, thence over Indiana Highway 6 to junction Indiana Highway 3, thence over Indiana Highway 3 to Fort Wayne, Ind., thence over U.S. Highway 27 to Richmond, Ind., thence over U.S. Highway 35 to Eaton, Ohio, and return over the same route.

**MOTOR CARRIER INTRASTATE APPLICATIONS
NOTICE**

The following application for motor common carrier authority to operate in intrastate commerce seeks concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 206(a) (6) of the Interstate Commerce Act. These applications are governed by Special Rule 245 of the Commission's General Rules of Practice (49 CFR § 1100.245), which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

South Carolina Docket No. 76-534-T filed September 24, 1976. Applicant: G. & P. TRUCKING COMPANY, INC., P.O. Drawer 338, Greenwood, S.C. 29646. Applicant's representative: Howard L. Burns, P.O. Drawer 1207, Greenwood, S.C. 29646. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *Commodities in general* over irregular routes (except petroleum products in bulk in tank trucks, high explosives and other dangerous commodities and household goods as defined in motor freight tariff 8-A, S.C.P.S.C.—MF 26), between points and places in Charleston County, S.C. and between points and places in Charleston County and points and places in South Carolina. Intrastate, interstate and foreign commerce authority sought. Hearing: Date, time and place not yet fixed. Requests for procedural information should be addressed to the South Carolina Public Service Commission, P.O. Box 11649, Columbus, S.C.

29211 and should not be directed to the Interstate Commerce Commission. Note: Applicant is presently serving as a motor vehicle carrier in intrastate commerce, together with the extent to which applicant is seeking authority in connection with such intrastate operations to engage in transportation in interstate and foreign commerce under Certificate of Registration No. MC 60709 (Sub-No. 7), pursuant to the following provision, among others: Commodities in general, over irregular routes (except petroleum products in bulk in tank trucks, high ex-

plosives and other dangerous commodities and household goods as defined in motor freight tariff 8-A S.C.P.S.C.—MF 26), from points and places in Charleston County, S.C., to points and places in Anderson, Cherokee, Greenville, Greenwood, Oconee, Pickens and Spartanburg Counties, S.C.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-30160 Filed 10-14-76;8:45 am]

federal register

FRIDAY, OCTOBER 15, 1976



PART II:

**DEPARTMENT OF
HEALTH,
EDUCATION, AND
WELFARE**

Office of Education

■

**EMERGENCY SCHOOL
AID CRITERIA AND
PROCEDURES**

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 185]

EMERGENCY SCHOOL AID

Proposed Criteria and Procedures

Pursuant to the authority contained in the Emergency School Aid Act ("ESAA"; Title VII of Pub. L. 92-318, as amended by Pub. L. 93-380; 20 U.S.C. 1601-1619), the Assistant Secretary for Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45, Part 185 of the Code of Federal Regulations as set forth below.

1. *Purpose of amendments.* The purpose of the proposed amendments is to establish, as a part of the codified regulations governing programs of assistance under sections 706(a), 706(b), 708(b), and 708(c) of the ESAA, standards for the minimum acceptable merit of applications for such assistance, and procedures for evaluating such applications. The standards and procedures in the proposed amendments are similar to those used in fiscal years 1975 and 1976 pursuant to a notice published at 40 FR 20660 on May 12, 1975. They differ from the approach used in fiscal years 1975 and 1976 in two principal respects. First, standards and procedures are established for the program authorized by section 708(c) of the ESAA (bilingual projects). Second, a larger portion of funds appropriated for each program is reserved for competition among applicants whose initial applications are not approved.

2. *Public participation.* Public comments on these procedures were invited in fiscal year 1975 (40 FR 20660, May 12, 1975). The procedures, establishment of minimum cut-off scores and establishment of a reservation of funds for resubmitted applications, have been the practice since fiscal year 1974. Section 710 (d) (2) of Pub. L. 92-318 requires that funds shall not all be obligated during the first review and funding of applications in order that applicants shall have appropriate opportunity to modify and resubmit their applications. No public comments on these procedures have been received.

3. *Citations to legal authority.* As required by section 431(a) of the General Education Provisions Act (20 U.S.C. 1232 (a)), a citation to the legal authority for each substantive provision of the proposed amendments has been placed in parentheses on the line immediately following the text of such provisions. Each citation applies to the text of the regulations between that citation and the next preceding citation.

4. *Comments invited.* Pursuant to section 431(b) (2) (A) of the General Education Provisions Act (20 U.S.C. 1232 (b) (2) (A)), written comments and recommendations concerning the proposed amendments are invited from interested parties. Comments may be sent to Dr. Herman R. Goldberg, Associate Commis-

sioner, Equal Educational Opportunity Programs, Room 2001, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

All comments must be received not later than November 29, 1976. Comments will be available for review in the above office between the hours of 8:30 a.m. and 4:00 p.m. Monday through Friday of each week.

(It is hereby certified that this proposal has been screened pursuant to Executive Order No. 11821, and does not require an Inflation Impact Evaluation.)

(Catalog of Federal Domestic Assistance Numbers 13.525 Emergency School Aid—Basic Grants, 13.526 Emergency School Aid—Pilot Projects, 13.528 Emergency School Aid—Bilingual projects, 13.529 Emergency School Aid—Nonprofit Organizations.)

Dated: August 31, 1976.

PHILIP AUSTIN,
Assistant Secretary
for Education.

Approved: October 7, 1976.

DAVID MATHEWS,
Secretary of Health, Education,
and Welfare.

1. In § 185.14, paragraph (c) is revised to read as follows:

§ 185.14 Criteria for assistance.

(c) Funding criteria and procedures.

(1) In determining amounts to be awarded to applicants for assistance under this subpart, the Assistant Secretary shall consider:

- (i) The additional cost to such applicants (as such cost is defined in § 185.13 (a)) of effectively carrying out its proposed program, project, or activity; and
- (ii) The amount of funds available for assistance under this subpart within the State in relation to other applications from the State pending before the Assistant Secretary.

(2) An application for assistance under this subpart will be considered to set forth a program, project, or activity, of such insufficient promise for achieving the purpose of the Act that its approval is not warranted, and shall not be approved for funding, if such application has been awarded:

- (i) fewer than 40 points on the basis of the criteria in paragraphs (a) and (b) of this section; or
- (ii) fewer than 28 points on the basis of the criteria in paragraph (b) of this section.

(3) An application determined on the basis of the standards in paragraph (c) (2) of this section to be unapprovable will be returned to the applicant. The Assistant Secretary shall notify the applicant of the specific reasons for such determination, and shall afford the applicant an appropriate opportunity to modify and resubmit its application.

(4) Except as provided in paragraph (c) (5) of this section, the Assistant Secretary shall award funds to applicants for assistance under this subpart from

a State (whose applications meet the requirements of the Act and are approvable on the basis of the standards in paragraph (c) (2) of this section) in the order of their ranking on the basis of the criteria set out in paragraphs (a) and (b) of this section until the funds apportioned to the State for the purpose of this subpart have been exhausted.

(5) (i) Not less than one-third of the funds apportioned to a State for the purpose of this subpart shall be reserved until applicants whose initial applications were determined to be unapprovable on the basis of the standards in paragraph (c) (2) of this section have been afforded an appropriate opportunity to modify and resubmit their applications. From the funds not so reserved, the Assistant Secretary shall award funds to applicants whose applications are approvable in the order of the ranking of their initial applications (on the basis of the criteria set out in paragraphs (a) and (b) of this section) until unreserved funds are insufficient to support the next ranking approvable application at the level determined by the Assistant Secretary to be necessary to carry out effectively the proposed program, project or activity.

(ii) Where unreserved funds are insufficient to support the next ranking approvable application at the level determined by the Assistant Secretary to be necessary to carry out effectively the proposed program, project or activity, the Assistant Secretary shall notify the applicant of the specific reasons for its ranking, and shall afford the applicant an appropriate opportunity to modify and resubmit its application to compete for reserved funds. If such an applicant chooses to modify and resubmit its application, its ranking shall be determined on the basis of the criteria set out in paragraphs (a) and (b) of this section as applied to its resubmitted application.

(Public Law 92-318, sections 702; 705(a) (1), (b) (3); 706(a); 710(c), (d) (2).)

2. In § 185.24, paragraph (c) is revised to read as follows:

§ 185.24 Criteria for assistance.

(c) Funding criteria and procedures.

The provisions of § 185.14(c) shall apply to awards of assistance under this subpart, except that:

(1) References in § 185.14(c) to "this subpart" shall be understood to refer to Subpart C—Pilot Projects;

(2) References in § 185.14(c) to "this section" shall be understood to refer to § 185.24; and

(3) The minimum points referred to in paragraph (c) (2) of § 185.14 shall, for the purpose of this subpart, be 45 on the basis of the criteria in paragraphs (a) and (b) of this section and 33 on the basis of the criteria in paragraph (b).

(Public Law 92-318, sections 702; 705(a) (2), (b) (3); 706(b); 710(c), (d) (2).)

3. In § 185.54, paragraph (c) is revised to read as follows:

§ 185.54 Criteria for assistance.

(c) *Funding criteria and procedures.* The provisions of § 185.14(c) shall apply to awards of assistance under this subpart, except that:

(1) References in § 185.14(c) to "this subpart" shall be understood to refer to Subpart F—Bilingual Projects;

(2) References in § 185.14(c) to "this section" shall be understood to refer to § 185.54;

(3) References in § 185.14(c) to a "State" shall be understood to refer to

the 50 States and the District of Columbia, taken together; and

(4) The minimum points referred to in subparagraph (2) of § 185.14(c) shall, for the purpose of this subpart, be 45 on the basis of the criteria in paragraphs (a) and (b) of this section, and 33 on the basis of the criteria in § 185.54(b).

(20 U.S.C. 1601; 1693(b)(A); 1697(c); 1699(d)(2).)

4. In § 185.64, paragraph (c) is revised to read as follows:

§ 185.64 Criteria for assistance.

(c) *Funding criteria and procedures.* The provisions of § 185.14(c) shall apply to awards of assistance under this subpart, except that:

(1) References in § 185.14(c) to "this subpart" shall be understood to refer to Subpart G—Public or Nonprofit Private Organizations; and

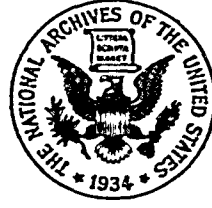
(2) References in § 185.14(c) to "this section" shall be understood to refer to § 185.64.

(Public Law 92-318, sections 702; 703(a)(3), (b)(3); 703(b).)

[FR Doc. 76-30232 Filed 10-14-76; 8:45 am]

federal register

FRIDAY, OCTOBER 15, 1976



PART III:

COMMODITY FUTURES TRADING COMMISSION



FUTURES COMMISSION MERCHANTS

Financial and Reporting Requirements

COMMODITY FUTURES TRADING COMMISSION

[17 CFR Parts 1, 145]

FUTURES COMMISSION MERCHANTS

Financial and Reporting Requirements

The Commodity Futures Trading Commission ("Commission") is currently engaged in a comprehensive study of the financial and reporting requirements imposed upon futures commission merchants to determine whether the requirements can be amended to afford commodity customers a greater degree of protection while at the same time increasing the regulatory efficiency of these requirements. As a result of this study, the Commission has determined that substantial revisions in its existing regulations under the Commodity Exchange Act, as amended ("Act"), 7 U.S.C. 1-22, are necessary. The Commission is at this time proposing, as the first of these revisions, amendments to §§ 1.10, 1.17 and 1.18 of the regulations (17 CFR 1.10, 1.17, and 1.18) and new regulations, §§ 1.10a and 1.16. The effect of these proposals would be (1) to require that financial reports submitted by futures commission merchants be audited annually by independent public accountants, (2) to increase the frequency of financial reports, (3) to expand the content of such reports, (4) to require that copies of these annual reports be sent to customers, (5) to require that futures commission merchants compute their minimum capital requirements on a monthly basis, and (6) to make these requirements uniform throughout the industry. Only futures commission merchants who are members of a contract market and conform to minimum financial and related reporting requirements set by the contract market and approved by the Commission pursuant to section 4f(2) of the Act subsequent to (the effective date of these revisions) would be exempt from these requirements.

The Commission will shortly consider proposing the adoption of rule amendments to provide for uniform capital requirements for all futures commission merchants ("FCM's") and an improved early warning system based upon those requirements. The uniform capital requirements would contain improved computational criteria with respect to the computation of the minimum capital requirements imposed upon FCM's and the computation of an FCM's adjusted net capital. The Commission has become increasingly concerned with an FCM's ability to finance its operations almost exclusively with non-subordinated, long-term debt. The new minimum capital rule would prevent this use of long-term debt. The new early warning system would, for the first time, be integrated with the Commission's minimum capital rule and would give warning of approaching financial problems as well as of existing ones. In addition, it would (1) require notice of the non-current status of an FCM's books and records and of any other problems un-

covered by the audit of an independent public accountant; and (2) require the filing of financial statements when an FCM is expelled from any contract market.

The Commission wishes to stress at the outset that it is Commission policy to encourage contract market self-regulation. In this regard, the Commission anticipates requiring all contract markets to adopt and to enforce uniform minimum financial and related reporting requirements. Such requirements would be subject to the same active oversight regulation as are the other rule enforcement programs of the contract markets. However, because of the common interest of the contract markets in the financial integrity of their member FCM's and because of the uniform applicability of the minimum financial and related reporting requirements envisioned by the Commission, it may be advantageous for the contract markets to engage in a joint enforcement or audit program to monitor compliance with such uniform minimum financial and related reporting requirements. Such a joint program or an alternative program through a national futures association, as provided for in Title III of the Commodity Futures Trading Commission Act of 1974, 7 U.S.C. 21, could meet the anticipated Commission requirements. The Commission requests comments on the anticipated requirement that the contract markets adopt uniform minimum financial and related reporting requirements.

SUMMARY OF PROPOSED REVISION OF REGULATION 1.10

The proposed revision of regulation 1.10 would increase the frequency of financial reports FCM's are required to file with the Commission, expand the content of such reports, require that such reports be audited annually by independent public accountants and certified by them, require that copies of such certified annual reports be sent to customers, and make the financial reporting requirements uniform throughout the industry. In addition, any reports which are required to be filed with the Commission would also have to be filed with the exchanges of which the FCM is a member. The rule is divided into eight subparagraphs. A discussion of these follows.

Application for registration. As proposed, paragraph (a) of rule 1.10 would have three parts which are substantially the same as paragraphs (a), (b) and (c) of the present rule 1.10. The proposed rule would continue the requirement that application for registration as an FCM be made on Form 1-R and that a financial report, on Form 1-FR, be concurrently filed, as of a date not more than 45 days prior to the date on which such report is filed. As with the current rule, an exemption is recognized for persons succeeding to and continuing the business of another futures commission merchant.

As discussed below, the most significant departure from the current rule is the requirement, in paragraph (a) (2) of the proposed rule, that the Form 1-FR

be certified by an independent public accountant. However, the proposed rule would no longer require an applicant to submit an estimate of his income and expenses for his first year of operations. The Commission's experience has shown this to be of very little value either as a basis for denying registration or for subsequent regulatory purposes.¹

Independent public accountants. Paragraphs (a) (2) and (b) (2) of proposed rule 1.10 would require that the initial Form 1-FR filed by an applicant futures commission merchant and the Form 1-FR filed at the end of each fiscal year thereafter be certified by an independent public accountant. The present Form 1-FR requires that such reports be attested to only by a corporate officer, partner or sole proprietor of the applicant or registrant.

Accurate information which can be evaluated according to standardized criteria is essential to the effective protection of customers' funds and to the overall regulation of FCM's. In order to insure such accurate information on the Forms 1-FR filed pursuant to regulation 1.10, the Commission believes independent verification of such information is imperative. Generally, there are three alternative methods of obtaining such independent verification: (1) The Commission itself can conduct yearly general audits of all FCM's, (2) It can require contract markets to audit all their members yearly with the Commission auditing those few FCM's which are not members of any exchange, or (3) It can require that the financial reports filed by FCM's be certified annually by independent public accountants.

The Commission believes that the use of independent public accountants is the most efficient regulatory method of obtaining independent verification of the information provided on financial reports. In addition, the Commission's Advisory Committee on Commodity Futures Trading Professionals² has recommended that the Commission "require that the year-end financial statements submitted by FCM's be certified by independent public accountants." While the Comptroller General's "Report to Congress on Improvements Needed in Regulation of Commodity Futures Trading" ("GAO Report") recommended that the exchanges be delegated the primary responsibility for audits of FCM's, that report also recommended that the Commission "require FCM's to engage independent public accountants to make the required audits and to furnish reports on the results of these audits to the cognizant exchanges and to the Commis-

¹ Present rule 1.10(a) also refers to floor brokers. Since this reference will be eliminated, the Commission proposes to add new Rule 1.10a to provide for application for registration by floor brokers. The procedure for such applications would not be changed by the Commission's present proposal.

² 40 FR 50558 (October 30, 1975).

³ See Report of the Commodity Futures Trading Commission Advisory Committee on Commodity Futures Trading Professionals 14 (August 5, 1976).

sion."⁴ Similarly, the Commission's Advisory Committee on Definition and Regulation of Market Instruments⁵ has recommended that any financial reports required of persons dealing in commodity option transactions and leverage transactions in gold or silver be certified annually by independent public accountants.⁶ The use of independent public accountants would relieve the Commission's staff of the burden of conducting general audits of FCM's. There are approximately 270 FCM's registered with the Commission. In fiscal year 1976 the Commission's staff conducted 133 general audits of such FCM's. By eliminating the need for such audits, the Commission would have greater flexibility (1) to conduct more frequent audits of FCM's which the Commission believes are experiencing financial difficulties and (2) to expand its audit program to include other persons subject to Commission regulation.

Good general business practices would appear to necessitate the use of yearly certified audits as part of a firm's internal control procedures. For example, independent accountants review internal control systems to determine if the controls are sufficient to provide timely information concerning a firm's financial status and adequate protection for customers' funds pursuant to the Act and Commission regulations. Moreover, certain checks which a public accountant would make (such as verifying inventory and sending statements to customers to verify their credit or debt balances) might be unacceptably costly for a government or exchange authority to do.

The Commission does not believe that this independent audit requirement will significantly increase costs to the industry. At least 240 FCM's, or approximately 90 percent of all FCM's, are currently using public accountants either voluntarily in their normal course of business or to comply with exchange or governmental requirements. In those instances where an FCM is not currently employing an independent auditor, the Commission believes the necessity for independent verification of the information contained in the Forms 1-FR filed by such FCM's is especially acute.

Filing of Financial Reports. Paragraph (b) of proposed rule 1.10 has four parts. Paragraph (b)(1), which is a revision of paragraph (d) of the present rule, would require reports on Form 1-FR to be filed quarterly instead of semi-annually. Such reports would have to be filed no later than 30 days after the date for

which the report is made, with the exception of the certified annual reports which would have to be filed no later than 60 days after the close of each registrant's fiscal year.

Timely information is essential to the effective monitoring of the financial condition of any business; it is even more vital in the rapidly fluctuating commodity futures industry. While the Commission believes that monthly reporting is desirable from an informational point of view, the Commission also believes that the economic burden placed upon registrants by a monthly reporting requirement may outweigh its benefits. Accordingly, the Commission's proposal provides for quarterly reporting as a compromise between the necessity of timely information and the costs of such reporting.

The information which would be required in the new Form 1-FR is essentially that which would ordinarily be prepared in the normal course of business to facilitate management of the firm. Such reports are probably prepared monthly by most firms, though perhaps in a less formal manner than that required on the Form 1XFR. Although the quarterly reporting requirements may increase the costs of some FGM's, the Commission does not believe it will significantly increase costs in the industry as a whole. Quarterly reporting is a general business practice. Approximately fifty FCM's are registered as broker-dealers with the Securities and Exchange Commission and are accordingly required to file quarterly reports with that agency. For the most part, these are among the largest FCM's where the costs would be expected to be greatest. In addition, the Chicago Mercantile Exchange is now requiring quarterly financial reports from most of its members. Since there are approximately 55 CME members who are not registered broker-dealers, approximately 110, or 40 percent of the FCM population, are already filing quarterly statements.

As mentioned above, paragraph (b)(2) of the proposed rule would require that the Form 1-FR filed as of the close of a registrant's fiscal year be certified by an independent public accountant. Paragraph (b)(3) is the present rule 1.10(e) redesignated. It provides an exemption from the financial reporting requirements for members of contract markets whose financial regulations have been approved by the Commission pursuant to section 4f(2) of the Act. At present, only the Chicago Board of Trade and the Chicago Mercantile Exchange have received this type of approval. However, the exemption provided by this paragraph would apply only to members of contract markets whose financial regulations have been approved by the Commission subsequent to the effective date of this regulation. Consequently, contract markets wishing to exempt their members from the Commission's financial reporting requirements would have to submit and obtain Commission approval of their rules after regulation 1.10, as revised, is placed into effect. Commission approval of contract market financial requirements pursuant to section 4f(2) of the

Act would be forthcoming only if such requirements are consistent with those of the Commission. At a minimum, contract market rules for which such approval is sought would have to require: (i) That the members of the contract market submit quarterly financial statements; (ii) That such members submit annual financial statements certified to by an independent public accountant; (iii) That the qualifications and responsibilities of the independent public accountants so certifying these annual financial statements include those set forth in regulation 1.16; (iv) That the contents of the financial statements filed by members contain, at a minimum, the financial information which would be required by proposed regulation 1.10(d); (v) That such statements be filed with all contract markets of which the FCM is a member; (vi) That certain portions of a member's financial statements be sent to and/or made available to the member's customers; (vii) That members comply with a minimum capital requirement which is at least as stringent as that set forth in the Commission's regulations; (viii) That the computational formula used to determine compliance with this minimum capital requirement be substantially the same as that set forth in the Commission's regulations; and (ix) That each member formerly compute his financial status and his minimum financial requirements monthly.

Paragraph (b)(4) of the proposed rule contains a new provision which requires an FCM to furnish more frequent reports on Form 1-FR or to supply additional information upon the written request of a contract market or the Commission. This enables the contract markets and the Commission to obtain more timely information than is supplied by the quarterly report and is expected to be used on a case-by-case basis, normally where an FCM is thought to be in a questionable financial condition.

Where to file reports. Proposed regulation 1.10(c) requires that all reports provided for in regulation 1.10 be filed with the nearest regional office of the Commission and with all contract markets of which the registrant is a member. The present practice is for an FCM to submit his financial reports only to the nearest regional office of the Commission. The requirement of regulation 1.10(c) that such reports be furnished to the contract markets is in furtherance of the Commission's policy of promoting contract market self-regulation.⁷ The sole exception

⁴ *Report of the Comptroller General of United States to Congress on Improvements Needed in Regulation of Commodity Futures Trading* 46 (June 24, 1975).

⁵ 40 FR 50557 (October 30, 1975).

⁶ *Report of the Advisory Committee on Definition and Regulation of Market Instruments to the Commodity Futures Trading Commission: Recommended Policies on Commodity Option Transactions* 49 (July 6, 1976)—*Report of the Advisory Committee on Definition and Regulation of Market Instruments to the Commodity Futures Trading Commission: Recommended Policies on Futures, Forward and Leverage Contracts and Transactions* 40 (July 16, 1976).

⁷ The Commission is aware that a number of commodity exchanges are considering the establishment of a joint audit program to avoid duplication of effort where an FCM is a member of more than one commodity exchange. In that event, it might be sufficient for an FCM to file his reports with one exchange rather than with each exchange of which the FCM is a member. However, until the exchanges develop such a program, the Commission can see no other alternative which adequately facilitates self-regulation than the requirement that each exchange of which an FCM is a member receive a copy of each report.

to this requirement is the information required by the Commission or a contract market pursuant to paragraph (b) (4); such information need be furnished only to the Commission and the contract market requiring the information.

Contents of financial reports. Paragraph (d) of proposed regulation 1.10 describes the required contents of a Form 1-FR. Under current requirements, each Form 1-FR must contain a Statement of Financial Condition, a Statement of the Computation of the Minimum Capital Requirements Pursuant to Regulation 1.17, and a Schedule of Segregation Requirements and Funds on Deposit in Segregation. To these, the Commission proposes to add Statements of Income (Loss), Changes in Financial Position (and comparative Statements of Income (Loss) and Changes in Financial Position for the corresponding period of the prior year), Changes in Ownership Equity, and Changes in Liabilities Subordinated to the Claims of General Creditors. The first two statements are considered basic financial statements and serve as indicators of the present and future status of a firm's financial condition. The later two statements are relatively simple to prepare and provide important information with respect to changes in an FCM's capital structure which may be unobtainable from the other financial statements in the Form 1-FR. The Commission points out that the Statement of Changes in Ownership Equity would not require the disclosure of changes in the individual ownership positions of an FCM's stockholders or partners, but would instead provide important information with respect to changes in an FCM's general capital structure by requiring the disclosure of such things as: additional sales of stock or partnership units, retirements or repurchases of stock or partnership units, cash or stock dividends, prior period adjustments, and recapitalizations.³

All the above statements must be certified annually, including the comparative Statements of Income (Loss) and Changes in Financial Position for the corresponding period of the prior year. The comparative Statements of Income (Loss) and Changes in Financial Position for the corresponding period of the prior year need not be certified, if such certification would require an audit of a period prior to the effective date of proposed rule 1.10. The Statements of Income (Loss) and Changes in Financial Position must be for the period between the date of the most recent certified Statement of Financial Condition filed with the Commission and the date for which the report is made. For example, if the prior certified statement was as of December 31, 1977, and the report was made as of March 31, 1978, the income statement would be for the three months ending March 31, 1978, with a compara-

tive income statement for three months ending March 31, 1977. If the report was for the period ending September 30, 1978, the income statement would be for the nine months ending September 30, 1978, the comparative income statement would be for the nine-month period ending September 30, 1977. The Commission does not intend to require income statements, certified or otherwise, which include periods prior to effective date of regulation 1.10.

In addition to the above statements and schedules, the Commission's proposal would require that the Form 1-FR be completed in accordance with the instructions thereto; that appropriate footnote disclosure be added; and that, in addition to the information expressly required, such further material information be added, if any, as may be necessary to prevent the required statements and schedules from being misleading.

The Statement of Financial Condition and the Statements of Income (Loss), Changes in Financial Position, Changes in Ownership Equity, and Changes in Liabilities Subordinated to Claims of General Creditors filed in connection with the certified reports required by proposed regulations 1.10(a) (2) and 1.10(b) (2) need not be filed in Form 1-FR format if the independent public accountant determines such format would be inconsistent with generally accepted accounting principles for the financial statements of the applicant or registrant. If such a determination is made, the Statement of Financial Condition must be presented in a format which is as consistent as possible with Form 1-FR and a reconciliation must be provided which reconciles the Statement of Financial Condition to the Statement of the Computation of the Minimum Capital Requirements Pursuant to § 1.17 of the Commission's regulations.

Election of fiscal year. Paragraph (e) (1) of proposed regulation 1.10 provides that each applicant or registrant may establish a fiscal year other than the calendar year. Paragraph (e) (2) concerns the election by an FCM to file its financial reports as of calendar quarters in lieu of fiscal quarters. Each applicant or registrant may establish a fiscal year other than a calendar year and may elect to file its financial reports as of calendar quarters in lieu of fiscal quarters by notifying the Commission and all contract markets of which it is a member, if any, of its election of such fiscal year or of its intent to file as of calendar quarters, in writing, concurrently with the filing of a Form 1-FR pursuant to paragraph (a) (2) of regulation 1.10 or within 90 days after the effective date of the regulation. An FCM may not change such elections or make such elections after such dates unless it makes written application and receives approval from the Commission.

Extension of time for filing reports. In the event any applicant or registrant finds that he cannot file one of the unaudited reports without substantial undue hardship, he may file with the Commission an application for extension of

time to a specified date not more than 90 days after the date as of which the financial condition is reported. The application must state the reasons for the requested extension and must contain an agreement to file the report on or before the date specified in the application. Notice of such application must also be given to all contract markets of which the FCM is a member. The application will be deemed denied unless the Commission, within 10 days after the receipt thereof, notifies the applicant or registrant of the grant of an extension. The Commission anticipates that it will grant such extensions only in those rare situations where the applicant or registrant is able to demonstrate to the satisfaction of the Commission that substantial undue hardships will be incurred as a result of timely filing. The Commission will notify all contract markets of which the applicant or registrant is a member, if any, of the grant of any such extension. (Requests for extensions of time for filing certified financial statements are covered separately in the discussion of proposed regulation 1.16(f).)

DISCLOSURE OF FINANCIAL INFORMATION

Paragraph (g) of proposed rule 1.10 provides that all Forms 1-FR filed pursuant to the rule will be public, except that, if the Statement of Financial Condition, the Computation of Minimum Capital Requirements Pursuant to Section 1.17 and the Schedule of Segregation Requirements and Funds on Deposit in Segregation are bound separately from the other financial statements and schedules of the Form 1-FR, certain information on such other statements and schedules will be deemed privileged or confidential. The report of the independent public accountant will be deemed public information. The Freedom of Information Act, 5 U.S.C. 552, requires that the Commission make its records available upon request to members of the public, unless such records fall within certain exemptions. Included among those exemptions are "trade secrets and commercial or financial information obtained from a person and privileged or confidential." The Commission has taken the position in Part 145 of its regulations, 17 CFR Part 145, that an FCM's Statement of Financial Condition and its Schedule of Segregation Requirements and Funds on Deposit in Segregation are not within this exemption. If paragraph (g) of proposed rule 1.10 is adopted as proposed, that portion of the Commission's regulations implementing the Freedom of Information Act, 17 CFR Part 145, will be amended so as to classify an FCM's Computation of Minimum Capital Requirements and the report of the independent public accountant as public records as well.

Paragraph (h) of proposed rule 1.10 would require that each certified Statement of Financial Condition, Computation of the Minimum Capital Requirements Pursuant to § 1.17, and the opinion of the independent public accountant, with appropriate footnote disclosures, be sent to all customers of the registrant

³ The Commission also notes that the approximately fifty FCMs currently registered with the Securities and Exchange Commission as broker-dealers are required to prepare this statement under the rules of that agency.

with open contracts or credit balances and be available for examination upon request at all offices of the registrant where customer business is transacted. In addition, each uncertified Statement of Financial Condition and Computation of the Minimum Capital Requirements Pursuant to § 1.17, with appropriate footnotes, filed pursuant to regulation 1.10 must be made available for examination upon request at all offices of the registrant where customer business is transacted.

The Commission's present rules do not require that FCM's make any financial disclosures to their customers. However, the Commission believes that customers have a right to know the financial condition of the FCM's with whom they entrust their funds. Accordingly, the Commission proposes to require the financial disclosures to customers as set forth above. Such requirements would serve as a form of customer protection by providing customers with a readily available source of information upon which to make informed judgments in selecting a commodity broker. In so doing, these requirements may also act as an incentive for FCM's to maintain strong financial positions if they believe customers may take their financial reports into consideration in choosing an FCM. The Commission points out that neither its proposed position on public access to FCM financial statements nor its proposed disclosure to customers requirement is a new concept. The approximately fifty FCM's who are currently registered as broker-dealers with the Securities and Exchange Commission, and who account for approximately half of all customer business in the futures industry, are presently subject to similar provisions under the rules of that agency.

SUMMARY OF PROPOSED REGULATION 1.16: QUALIFICATIONS AND REPORTS OF ACCOUNTANTS

Proposed regulation 1.10 would require that the initial Form 1-FR filed by an applicant for registration as an FCM and the Form 1-FR filed each fiscal year thereafter be certified by an independent public accountant. Proposed regulation 1.16 details qualifications required of such independent public accountants and sets certain guidelines which must be followed in the conduct of the examination of an FCM's Form 1-FR.

Accountants who certify financial statements which are to be filed with the Commission must adhere to the standards the Commission promulgates for such filings. Failure to do so can lead to withdrawal of the accountant's right to practice before the Commission pursuant to 17 CFR Part 14. Any accountant who has been barred from practicing before the Commission pursuant to 17 CFR Part 14 for this or any other reason will not be considered a qualified accountant for purposes of regulation 1.16.

Definitions. Paragraph (a) of proposed regulation 1.16 defines certain terms used in proposed regulations 1.16 and 1.10.

The term "accountant's report" is defined as a document in which an independent licensed or certified public ac-

countant indicates the scope of the audit (or examination) and sets forth his opinion regarding the financial statements. When an unqualified opinion can not be expressed, the reasons therefore must be stated.

The term "audit" is defined as an examination of the financial statements by an accountant in accordance with generally accepted auditing standards for the purpose of expressing an opinion thereon.

The term "certified" is defined to mean audited and reported upon with an opinion expressed by an independent certified public accountant or independent licensed public accountant.

Qualifications of accountants. The Commission will recognize only certified public accountants who are duly registered and in good standing under laws of their place of residence or principal office and licensed public accountants who are duly licensed on or before December 31, 1970, and in good standing under the laws of their place of residence or principal office.

The accountant must be independent in fact and in form. Examples of situations in which the accountant would not be considered independent are set forth in paragraph (b) (2) of proposed regulation 1.16. The Commission will give appropriate consideration to all relevant circumstances, including evidence bearing on all relationships between the accountant and the registrant or applicant and any affiliate thereof, and will not confine itself to any relationship existing in connection with the reports filed with the Commission, in determining whether an accountant is in fact independent. This provision is similar to Regulation S-X of the Securities and Exchange Commission. The Commission proposes the use of this provision because the accounting profession is familiar with it and has found it to be a satisfactory, workable concept, and the Securities and Exchange Commission's experience with it generally has been good.

Accountant's reports. Regulation 1.16 (c) describes the technical requirements of the accountant's reports, the representations as to the audit that the accountant must make, and the statement of opinion to be expressed by the accountant. It also sets forth what is to be included in the accountant's report if the accountant takes exception to any matters related to the financial statements. It should be noted that the accountant must review the procedures of the FCM for safeguarding customer and firm assets and must so state in that paragraph of the opinion setting forth the scope of the audit.

Audit objectives. The audit must be made in accordance with generally accepted auditing standards and must include a review of the accounting system, the internal accounting control, and the procedures for safeguarding customer and firm assets, including appropriate tests thereof, since the prior examination date. For those firms having initial certified audits because of the promulgation of proposed regulation 1.10 and for

those persons applying for registration under proposed regulation 1.10(a) (2), the tests would be confined to the period being reported on. The audit must include all procedures necessary under the circumstances to enable the independent public accountant to express an opinion on the financial statements and schedules as well as on the adequacies of the internal control procedures. The scope of the audit and review must be sufficient to provide reasonable assurance that any material inadequacies existing at the date of the examination will be discovered.

Accountants should be aware that in order to conduct a proper audit under these rules, they must be familiar with the rules and regulations of the Commission and in particular with the segregation requirements of section 4d(2) of the Act and the regulations thereunder. The accountant must assure himself that the daily computations of the segregation requirements are being computed in accordance with such requirements. In addition, the accountant must ascertain that the periodic computations of the minimum capital requirements are being made in accordance with regulation 1.17 and are being computed monthly in accordance with proposed regulation 1.18. The Commission anticipates that it will selectively review the FCM audits conducted by independent public accountants to monitor compliance with the auditing standards set forth in proposed regulation 1.16.

Extent and timing of audit procedures. If, during the course of an audit or interim work, the accountant determines that any material inadequacies exist (as described in the audit objectives of paragraph (d) (1) of proposed rule 1.16), he must call it to the attention of the FCM, who has the responsibility to inform the Commission and all contract markets of which the FCM is a member, if any, of such inadequacies by written notice within 24 hours given thereafter. The FCM must also furnish the accountant with a copy of the notice to the Commission within the same 24 hour period. If the accountant fails to receive such notice from the firm within the 24 hour period, or if he disagrees with the statements contained in the notice, the accountant must notify the Commission and all contract markets of which the FCM is a member, of the material inadequacy within the next 24 hour period.

The Commission believes it is the responsibility of the independent auditors to determine the extent and timing of their audit procedures. The audits must, at a minimum, be made in accordance with generally accepted auditing standards and the audit objectives set forth in paragraph (d) of proposed regulation 1.16. In determining the extent of testing, consideration must be given to the materiality of an area and the possible effect on the financial statements and schedules of a material misstatement in a related account.

Extension of time for filing audit reports. Paragraph (f) of proposed regulation 1.16 describes the procedures that must be followed in requesting an exten-

sion of time on a report which is required to be certified in accordance with proposed regulation 1.10. An application for extension of time to a specified date, which may not be more than 90 days after the date as of which the financial condition is reported, must be filed with the principal office of the Commission in Washington, D.C. Notice of such application must be sent to all contract markets of which the FCM is a member. The application must be made by the FCM and must (1) state the reasons for the request of the extension; (2) indicate that the inability to make a timely filing is due to circumstances beyond the control of the FCM, if such is the case; (3) be accompanied by the latest available formal computations of his adjusted working capital and of his minimum financial requirements; (4) be accompanied by the latest available computation of required segregation and by a computation of the funds actually in segregation as of the date of the required segregation computation; (5) contain an agreement to file the report on or before the date specified in the application; (6) be received by the Commission and all contract markets of which the applicant or registrant is a member, prior to the date on which the report is due; and (7) be accompanied by a letter from the independent public accountant which answers certain questions which are specified in paragraph (f) of proposed regulation 1.16.

An application for extension of time will be deemed denied unless the Commission, within ten days of the receipt thereof, notifies the FCM of the grant of an extension or that additional time is required to analyze the application satisfactorily, in which case the time needed shall be specified.

Replacement of an accountant. Pursuant to paragraph (g) of proposed regulation 1.16, an FCM would be required to file notice with the Commission and all appropriate contract market when the principal accountant of the FCM, or the principal account of a material subsidiary of the FCM, is replaced. The notice must describe any disagreements with the former accountant on any matter of accounting principles or practices, financial statements disclosure, auditing scope or procedures, or compliance with the applicable rules of the Commission, which disagreements, if not resolved to the satisfaction of the former accountant, would have caused him to make reference in his report to the subject matter of the disagreements. The FCM must also request the former accountant to furnish a letter addressed to the Commission stating whether he agrees with the statements contained in the notice of the applicant or registrant and, if not, stating in which respects he does not agree.

If (1) within 24 months prior to the date of the most recent certified financial statements, a notice was filed pursuant to paragraph (g) (1) of regulation 1.16, (2) included in such filing there is a reported disagreement, (3) during the fiscal year in which the change in account-

ants took place or during the subsequent fiscal year, there have been any transactions or events similar to those which involved a reported disagreement, and (4) such transactions or events are material and were accounted for or disclosed in a manner different from that which the former accountant apparently concluded was required, the existence and nature of the disagreements and the effect of such disagreements on the financial statements must be disclosed in a written notice to the Commission and all contract markets of which the applicant or registrant is a member.

SUMMARY OF PROPOSED REVISIONS TO REGULATION 1.17—MINIMUM FINANCIAL REQUIREMENTS

Paragraph (b) of regulation 1.17 currently provides an exemption from the Commission's minimum financial requirements if the applicant or registrant is a member of a contract market and conforms to minimum financial standards and related reporting requirements of the contract market approved by the Commission pursuant to section 4f(2) of the Act. The proposed amendment to regulation 1.17 would provide a similar exemption, provided the financial standards of the appropriate contract market have been approved by the Commission subsequent to the effective date of these regulations. Previously approved contract market financial standards would have to be resubmitted for Commission review to determine if they meet with the Commission's new standards in order to enable the contract market's members to take advantage of the revised exemption.

The Commission anticipates that it will shortly propose a comprehensive revision of regulation 1.17. Under this anticipated revision, a contract market's financial standards would be approved by the Commission only if the contract market employed the same uniform computational formula as the Commission to determine compliance with its financial requirements. The Commission's financial requirements would then represent a minimum which the contract markets could increase as deemed appropriate, but not decrease.

SUMMARY OF PROPOSED REVISION TO REGULATION 1.18: RECORDS FOR AND RELATING TO FINANCIAL REPORTING AND MONTHLY COMPUTATIONS

Paragraphs (a), and (c) of regulation 1.18 would remain unchanged. Paragraph (b) would be deleted in its entirety and a new paragraph (b) added. The present paragraph (b) requires a trial balance as of the end of each month.

Proposed paragraph (b) of regulation 1.18 would require each registrant to make, and to keep a record of, formal computations of his adjusted working capital and of his minimum capital requirements pursuant to regulation 1.17 as of the close of business each month. Such computation must be completed and made available for inspection by any representative of the Commission or any contract market of which the registrant

is a member, if any, by the close of the tenth business day after the date for which the computations are made.

Such formal computations will admittedly place an additional burden on FCM's; however, without such computations the Commission believes it may not receive adequate notice of significant adverse changes in an FCM's capital structure. Without adequate notice of such changes, the Commission may be unable to take action to insure the protection of customer funds.⁹

Ideally, a registrant should compute its minimum capital requirements formally before the firm opens for business each day. However, it has been suggested that only a handful of firms with the most sophisticated accounting systems may be able to comply with a daily computation requirement. Moreover, while it is undoubtedly possible for an FCM with reasonable controls to make these computations weekly, such a requirement may be overly burdensome. In order to balance these conflicting factors, the Commission is proposing a monthly computation requirement.

FORM 1-FR

The Form 1-FR remains the same except that the title of Schedule I has been changed from "Determination of Adequacy of Capital Positions in Meeting Minimum Capital Requirements" to "Statement of the Computation of the Minimum Capital Requirements Pursuant to 1.17," and a "Statement of Income," a "Statement of Changes in Financial Position," a "Statement of Changes in Liabilities Subordinated to the Claims of General Creditors," and a "Statement of Changes in Ownership Equity" have been added. The format of the new statements is contained in Appendix A.

AUTHORITY

The following amendments of 17 CFR Part 1 are proposed under the authority of sections 4f, 4g and 8a of the Commodity Exchange Act, as amended (7 U.S.C. 6f, 6g and 12a).

In consideration of the foregoing, the Commission hereby proposes to amend 17 CFR Part 1 as follows:

1. By revising § 1.10 to read as follows:

§ 1.10 Application for registration and financial reports of Futures Commission Merchants.

(a) *Application for registration.* (1) Application for registration as a futures commission merchant must be made on Form 1-R. Each application must be executed and filed in accordance with the instructions accompanying the form.

(2) Except as provided in paragraph (a) (3) of this section, each person who files an application for registration as a futures commission merchant, and who

⁹ The Commission is presently developing a comprehensive early warning system based in part on compliance with this minimum capital requirements computation. If such an early warning system is adopted, the current regulation 1.18(c) would be replaced by this system.

is not so registered at the time of such filing, must, concurrently with the filing of such application, file a Form 1-FR as of a date not more than 45 days prior to the date on which such report is filed. Each such person must include with such financial report a statement describing the source of his current assets and representing that his capital has been contributed for the purpose of operating his business and will continue to be used for such purpose. Such Form 1-FR must be certified by an independent public accountant in accordance with § 1.16.

(3) The provisions of paragraph (a) (2) of this section do not apply to any person succeeding to and continuing the business of another futures commission merchant. Each such person who files an application for registration as a futures commission merchant and who is not so registered at the time of such filing must file a Form 1-FR as of the first month-end following the date on which his registration is approved. Such report must be filed with the Commission and all contract markets of which the applicant is a member, if any, not more than 30 days after the date for which the report is made.

(b) *Filing of financial reports.* (1) Except as provided in paragraph (b) (3) of this section, each person registered as a futures commission merchant must file a Form 1-FR for each fiscal quarter of each fiscal year: *Provided, however,* If a registrant so elects pursuant to paragraph (e) (2) of this section, a registrant may file a Form 1-FR for each calendar quarter of each calendar year. Each such Form 1-FR must be filed no later than 30 days after the date for which the report is made: *Provided, however,* That any Form 1-FR which must be certified by an independent public accountant pursuant to paragraph (b) (2) of this section must be filed no later than 60 days after the close of each registrant's fiscal year. Paragraph (b) (1) of this section will be applicable to all fiscal quarters beginning after (the effective date of this section) but in no event more than 90 days after (such effective date).

(2) The Form 1-FR filed pursuant to paragraph (b) (1) of this section as of the close of the registrant's fiscal year must be certified by an independent public accountant in accordance with § 1.16. A registrant who has elected to file its Forms 1-FR for each calendar quarter of each calendar year pursuant to paragraph (e) (2) of this section, must nonetheless file a form Form 1-FR as of the close of such registrant's fiscal year.

(3) The provisions of paragraphs (b) (1) and (b) (2) of this section shall not apply to any person registered as a futures commission merchant who is a member of a contract market and conforms to minimum financial standards and related reporting requirements set by such contract market in its bylaws, rules, regulations or resolutions and approved after (the effective date of these regulations) by the Commission pursuant to section 4f(2) of the Act: *Provided, however,* That each such registrant shall promptly file with the Commission a true

and exact copy of each financial report which it files with such contract market.

(4) Upon receiving written notice from any representative of the Commission or any contract market of which it is a member, an applicant or registrant must, monthly or at such times as specified, furnish the Commission and the contract market requesting such information, if any, with a Form 1-FR and/or such other financial information as requested by the representative of the Commission or the contract market. Each such Form 1-FR or such other information must be furnished within the time period specified in the written notice.

(c) *Where to file reports.* The reports provided for in this § 1.10 will be considered filed when received by the regional office of the Commission where the applicant or registrant has its principal place of business and by all contract markets of which the applicant or registrant is a member, if any: *Provided, however,* That information required of an applicant pursuant to paragraph (b) (4) of this section need be furnished only to the Commission and the contract market requesting such information.

(d) *Contents of financial reports.* (1) Each Form 1-FR filed pursuant to this § 1.10 must be completed in accordance with the instructions to the form. Each Form 1-FR must contain: (i) A Statement of Financial Condition as of the date for which the report is made; (ii) Statements of Income (Loss), Changes in Financial Position, Changes in Ownership Equity, and Changes in Liabilities Subordinated to Claims of General Creditors, for the period between the date of the most recent certified Statement of Financial Condition filed with the Commission (or the beginning of the fiscal quarter immediately following the (effective date of this rule) but in no event more than 90 days after (such effective date)) and the date for which the report is made, together with Statements of Income (Loss) and Changes in Financial Position for the corresponding period of the previous year: *Provided,* That if such statements are filed as part of the certified statements required by paragraphs (a) (2) or (b) (2) of this section, such statements must be for the entire fiscal year; (iii) a Statement of the Computation of the Minimum Capital Requirements Pursuant to § 1.17, and a Schedule of Segregation Requirements and Funds on Deposit in Segregation, all as of the date for which the report is made; (iv) appropriate footnote disclosures; and (v) in addition to the information expressly required, such further material information, if any, as may be necessary to make the required statements and schedules not misleading.

(2) The statements required by paragraphs (d) (1) (i) and (d) (1) (ii) of this section may be presented in accordance with generally accepted accounting principles in the certified reports filed as of the close of the registrant's fiscal year pursuant to paragraph (b) (2) of this section or accompanying the application for registration pursuant to paragraph

(a) (2) of this section, rather than in the format specifically prescribed by these regulations: *Provided,* The Statement of Financial Condition is presented in a format as consistent as possible with the Form 1-FR and a reconciliation is provided reconciling such Statement of Financial Condition to the Statement of the Computation of the Minimum Capital Requirements Pursuant to § 1.17. Such reconciliation must be certified by an independent public accountant in accordance with § 1.16.

(3) Attached to each Form 1-FR filed pursuant to this § 1.10 must be an oath or affirmation that to the best knowledge and belief of the individual making such oath or affirmation the information contained in the Form 1-FR is true and correct. If the applicant or registrant is a sole proprietorship, then the oath or affirmation must be made by the proprietor; if a partnership, by a general partner; or if a corporation, by the chief executive officer and chief financial officer.

(e) *Election of fiscal year.* (1) Any applicant or registrant wishing to establish a fiscal year other than the calendar year may do so by notifying the Commission and all contract markets of which it is a member, if any, of its election of such fiscal year in writing, concurrently with the filing of the Form 1-FR pursuant to paragraph (a) (2) of this section or within 90 days of (the effective date of this section), but in no event may such fiscal year end more than one year from the date of the Form 1-FR filed pursuant to paragraph (a) (2) of this section or more than one year from (the effective date of this regulation). An applicant or registrant which does not so notify the Commission and all contract markets of which it is a member will be deemed to have elected the calendar year as its fiscal year. A registrant must continue to use its elected fiscal year, calendar or otherwise, unless a change in such fiscal year is approved upon written application to the principal office of the Commission in Washington, D.C., and written notice of such change is given to all contract markets of which the registrant is a member.

(2) Any applicant or registrant may elect to file its Forms 1-FR for each calendar quarter in lieu of each fiscal quarter by notifying the Commission and all contract markets of which it is a member, if any, of its election, in writing, concurrently with the filing of the Form 1-FR pursuant to paragraph (a) (2) of this section or within 90 days after (the effective date of this section). Any registrant wishing to change such election or to make such election other than concurrently with the filing of the Form 1-FR pursuant to paragraph (a) (2) of this section or within 90 days of (the effective date of this section) may do so only if such change or election is approved by the Commission upon written application to the principal office of the Commission in Washington, D.C., and written notice of such change is given to all contract markets of which the registrant is a member.

(f) *Extension of time for filing reports.* In the event any applicant or registrant finds that it cannot file its report for any period within the time specified in paragraphs (a) (3), (b) (1), or (b) (4) of this section without substantial undue hardship, it may file with the principal office of the Commission in Washington, D.C., an application for an extension of time to a specified date which may not be more than 90 days after the date as of which its financial condition is reported. The application must state the reasons for the requested extension and must contain an agreement to file the report on or before the specified date. The application must be received by the Commission on or before the time specified in paragraphs (a) (3), (b) (1), or (b) (4) of this section for filing the report. Notice of such application must be given to all contract markets of which the applicant or registrant is a member, if any, concurrently with the filing of such application with the Commission. An application for extension of time will be deemed denied unless the Commission, within ten days after receipt of the application, notifies the applicant or registrant of the grant of an extension. (See § 1.16(f) for extension of the time for filing certified financial statements.)

(g) *Confidentiality of reports.* All of the Forms 1-FR filed pursuant to this section will be public; provided, however, that if the Statement of Financial Condition, the Computation of the Minimum Capital Requirements Pursuant to § 1.17, and the Schedule of Segregation Requirements and Funds on Deposit in Segregation are bound separately from the other financial statements and schedules of Form 1-FR, trade secrets and certain other commercial or financial information on such other statements and schedules will be deemed privileged or confidential. All information on such other statements and schedules will, however, be available for official use by any official or employee of the United States or any state, by any contract market of which the person filing such report is a member, and by any other person to whom the Commission believes disclosure of such information is in the public interest. Nothing in this paragraph (g) will limit the authority of any contract market to request or receive any information relative to its members' financial condition. The independent accountant's opinion filed pursuant to this § 1.10 will be deemed public information.

(h) *Financial reports to be sent to customers and made available for public inspection.* Each certified Statement of Financial Condition, Computation of the Minimum Capital Requirements Pursuant to § 1.17, and each opinion of the independent public accountant, with appropriate footnotes, filed pursuant to paragraph (b) (2) of this section, must be sent to all customers of the registrant with open contracts or credit balances and must be available for examination upon request at all offices of the registrant where customer business is transacted. Each such statement and opinion

must be sent to customers and made available for examination no later than 45 days after the date that such statements are required to be filed pursuant to paragraph (b) (1) of this section. In addition, each Statement of Financial Condition and each Statement of the Computation of the Minimum Capital Requirements Pursuant to § 1.17, with appropriate footnotes, filed pursuant to this § 1.10 must be made available for examination upon request at all offices of the registrant where customer business is transacted.

2. By adding a new § 1.10a as follows:

§ 1.10a Application for Registration of Floor Brokers.

Application for registration as a floor broker shall be made on Form 2-R. Each application shall be executed and filed in accordance with the instructions accompanying the form.

3. By adding a new § 1.16 as follows:

§ 1.16 Qualifications and Reports of Accountants.

(a) *Definitions.*—(1) *Accountant's report.* The term "accountant's report," when used in regard to financial statements, means a document in which an independent licensed or certified public accountant indicates the scope of the audit (or examination) which he has made and sets forth his opinion regarding the financial statements taken as a whole or an assertion to the fact that an overall opinion can not be expressed. When an overall opinion can not be expressed, the reasons therefore must be stated.

(2) *Audit or Examination.* The terms "audit" and "examination," when used in regard to financial statements, mean an examination of the statements by an accountant in accordance with generally accepted auditing standards for the purposes of expressing an opinion thereon.

(3) *Certified.* The term "certified," when used in regard to financial statements, means audited and reported upon with an opinion expressed by an independent certified public accountant or independent licensed public accountant.

(b) *Qualifications of Accountants.* (1) The Commission will recognize any person as a certified public accountant who is duly registered and in good standing as such under the laws of the place of his residence or principal office. The Commission will recognize any person as a licensed public accountant who was duly licensed on or before December 31, 1970, and is in good standing as such under the laws of the place of his residence or principal office.

(2) The Commission will not recognize any certified public accountant or licensed public accountant as independent who is not in fact independent. For example, an accountant will not be considered independent with respect to any applicant or registrant or any parent, subsidiary, or other affiliate of such applicant or registrant (i) in which, during the period of his professional engagement to examine the financial statements be-

ing reported on or at the date of his report, he or his firm or a member thereof had, or was committed to acquire, any direct financial interest or any material indirect financial interest, or (ii) with which, during the period of his professional engagement to examine the financial statements being reported on, at the date of his report or during the period covered by the financial statements, he or his firm or a member thereof was connected as a promoter, underwriter, voting trustee, director, officer, or employee, except that a firm will be deemed independent with respect to an applicant or registrant and its affiliates if a former employee or officer of such applicant or registrant or any such affiliate is employed by the firm and such individual has completely disassociated himself from the applicant or registrant and its affiliates and does not participate in auditing financial statements of the applicant or registrant or its affiliates covering any period of his employment by the applicant or registrant or its affiliate. An accountant will not be considered independent if he or his firm or a member thereof performs manual or automated bookkeeping services or assumes responsibility for maintenance of the accounting records, including accounting classification decisions, of such applicant or registrant or any of its affiliates. For the purposes of this § 1.16(b), the term "member" means all partners in the firm and all professional employees participating in the audit or located in the office of the firm participating in a significant portion of the audit.

(3) In determining whether an accountant may in fact not be independent with respect to a particular applicant or registrant, the Commission will give appropriate consideration of all relevant circumstances, including evidence bearing on all relationships between the accountant and that applicant or registrant or any affiliate thereof, and will not confine itself to the relationship existing in connection with the filing of reports with the Commission.

(c) *Accountant's Reports.*—(1) *Technical requirements.* The accountant's report (i) must be dated, (ii) must be signed manually, (iii) must indicate the city and state where issued and (iv) must identify without detailed enumeration the financial statements covered by the report.

(2) *Representations as to the audit.* The accountant's report (i) must state whether the audit was made in accordance with generally accepted auditing standards, (ii) must state whether the accountant reviewed the procedures followed for safeguarding customer and firm assets in accordance with the provisions of the Act and the regulations thereunder, and (iii) must designate any auditing procedures deemed necessary by the accountant under the circumstances of the particular case which have been omitted and the reasons for their omission. However, nothing in this paragraph (c) (2) shall be construed to imply authority for the omission of any procedure

which independent accountants would ordinarily employ in the course of an audit made for the purposes of expressing the opinions required by paragraph (c) (3) of this section.

(3) *Opinions to be expressed.* The accountant's report must state clearly: (i) The opinion of the accountant with respect to financial statements covered by the report and the accounting principles and practices reflected therein and (ii) the opinion of the accountant as to the consistency of the application of the accounting principles, or as to any changes in such principles which have material effect on the financial statements.

(4) *Exceptions.* Any matters to which the accountant takes exception must be clearly identified, the exceptions thereto specifically and clearly stated, and to the extent practicable, the effect of each such exception on related financial statements given.

(d) *Audit objectives.* (1) The audit must be made in accordance with generally accepted auditing standards and must include a review of the accounting system, the internal accounting control, and the procedures for safeguarding customer and firm assets in accordance with the provisions of the Act and the regulations thereunder, including appropriate tests thereof, since the prior examination date. The audit must include all procedures necessary under the circumstances to enable the independent licensed or certified public accountant to express an opinion on the financial statements and schedule. The scope of the audit and review of the accounting system, the internal controls, and procedures for safeguarding customer and firm assets must be sufficient to provide reasonable assurance that any material inadequacies existing at the date of the examination in (i) the accounting system, (ii) the internal accounting controls, and (iii) the procedures for safeguarding customer and firm assets (including the segregation requirements of section 4d(2) of the Act and the regulations thereunder) will be discovered. Additionally, as specified objectives the audit must include reviews of the practices and procedures followed by the registrant in making (a) periodic computations of the minimum capital requirements pursuant to § 1.17 and (b) daily computations of the segregation requirements of section 4d(2) of the Act and the regulations thereunder.

(2) A material inadequacy in the accounting system, the internal accounting controls, the procedures for safeguarding customer and firm assets, and the practices and procedures referred to in paragraph (d) (1) of this section which is to be reported in accordance with paragraph (e) (2) of this section includes any conditions which contributed substantially to or, if appropriate corrective action is not taken, could reasonably be expected to (i) inhibit an applicant or registrant from promptly completing transactions or promptly discharging his responsibilities to customers and other creditors, (ii) result in material finan-

cial loss, (iii) result in material misstatement of the applicant's or registrant's financial statements, or (iv) result in violations of the Commission's segregation, recordkeeping or financial reporting requirements.

(e) *Extent and timing of audit procedures.* (1) The extent and timing of audit procedures are matters for the independent public accountant to determine on the basis of his review and evaluation of existing internal controls and other audit procedures performed in accordance with generally accepted auditing standards and the audit objectives set forth in paragraph (d) of this section. In determining the extent of testing, consideration must be given to the materiality of an area and to the possible effect on the financial statements and schedules of a material misstatement in a related account.

(2) If during the course of an audit or interim work, the independent public accountant determines that any material inadequacies exist in the accounting system, in the internal accounting control, in the procedures for safeguarding customer or firm assets, or as otherwise defined in paragraph (d) of this section, he must call it to the attention of the applicant or registrant, who has the responsibility to inform the Commission and all contract markets of which the applicant or registrant is a member, if any, of such inadequacies by written notice to be received by the Commission at its principal office in Washington, D.C., within 24 hours thereafter. The applicant or registrant must also furnish the accountant with a copy of said notice to the Commission within such 24 hour period. If the accountant fails to receive such notice from the applicant or registrant within said 24 hour period or if he disagrees with the statements contained in the notice of the applicant or registrant, the accountant must inform the Commission and all contract markets of which the applicant or registrant is a member, if any, by reporting the material inadequacy within 24 hours thereafter. Such report from the accountant must be filed if the applicant or registrant failed to file a notice, describe the material inadequacies found to exist. If the applicant or registrant filed a notice, the accountant must file a report detailing the aspects, if any, of the applicant's or registrant's notice with which the accountant does not agree.

(f) *Extension of time for filing audited reports.* (1) In the event any applicant or registrant finds that it cannot file its audited reports for any year within the time specified in § 1.10 without substantial undue hardship, it may file with the principal office of the Commission in Washington, D.C., an application for extension of time to a specified date not more than 90 days after the date as of which the financial condition must be reported. Notice of such application must be sent to all contract markets of which the applicant or registrant is a member. The application must be made by the applicant or registrant and must: (i) State the reasons for the requested extension;

(ii) indicate that the inability to make a timely filing is due to circumstances beyond the control of the applicant or registrant, if such is the case, and describe briefly the nature of such circumstances; (iii) be accompanied by the latest available formal computations of his adjusted working capital and of his minimum financial requirements pursuant to § 1.18 (b); (iv) be accompanied by the latest available computation of required segregation pursuant to regulation 1.32 and by a computation of the amount of money, securities, and property segregated on behalf of customers as of the date of the latest available computation under regulation 1.32; (v) contain an agreement to file the report on or before the date specified by the applicant or registrant in the application; (vi) be received by the principal office of the Commission in Washington, D.C., and by all contract markets of which the applicant or registrant is a member, if any, prior to the date on which the report is due; and (vii) be accompanied by a letter from the independent public accountant answering the following questions:

(A) What specifically are the reasons for the extension request?

(B) On the basis of that part of your audit to date, do you have any indication that may cause you to consider commenting on any material inadequacies in the accounting system, internal accounting controls or procedures for safeguarding customer or firm assets?

(C) Do you have any indication from the part of your audit completed to date that would lead you to believe that the firm was or is not meeting the minimum capital requirements specified in § 1.17 or the segregation requirements of section 4d(2) of the Act and the regulations thereunder, or has any significant financial or recordkeeping problems?

(2) An application for extension of time will be deemed denied unless the Commission, within ten days of the receipt of the application, notifies the applicant or registrant (i) of the grant of an extension, or (ii) that additional time is required to conduct an adequate review of the application, in which case the time needed shall be specified.

(3) On the written request of any contract market or an applicant or registrant, or on its own motion, the Commission may grant an extension of time or an exemption from any of the certified financial reporting requirements of this chapter either unconditionally or on specified terms and conditions.

(g) *Replacement of Accountant.* (1) In the event (i) the independent public accountant who was previously engaged as the principal accountant to audit an applicant's or registrant's financial statements resigns (or indicates he declines to stand for re-election after the completion of the current audit) or is dismissed as the applicant's or registrant's principal accountant, (ii) another independent accountant is engaged as principal accountant, or (iii) an independent accountant on whom the principal accountant expresses reliance in his report regarding a material subsidiary resigns (or formally indicates he declines to stand for re-election after completion

of the current audit) or is dismissed or another independent public accountant is engaged to audit that subsidiary, the applicant or registrant shall file written notice of such occurrence with the Commission at its principal office in Washington, D.C., and with all contract markets of which the applicant or registrant is a member, if any, not more than 15 days after such occurrence.

(2) Such notice must state (i) the date of such resignation (or declination to stand for re-election, dismissal or engagement) and (ii) whether, in connection with the audits of the two most recent fiscal years and any subsequent interim period preceding such resignation, dismissal or engagement, there were any disagreements with the former accountant on any matter of accounting principles or practices, financial statements disclosure, auditing scope or procedures, or compliance with the applicable rules of the Commission, which, if not resolved to the satisfaction of the former accountant, would have caused him to make reference in connection with his report to the subject matter of the disagreements (if so, describe such disagreements). The disagreements required to be reported in this paragraph (g) (2) include both those resolved to the former accountant's satisfaction and those not resolved to the former accountant's satisfaction. Disagreements contemplated by this paragraph (g) (2) are those which occur at the decision making level, i.e., between personnel of the registrant responsible for presentation of its financial statement and personnel of the accounting firm responsible for rendering its report. The notice must also state whether the accountant's report on the financial statements for any of the past two years contained an adverse opinion or a disclaimer of opinion or was qualified as to uncertainties, audit scope, or accounting principles (if so, describe the nature of each such adverse opinion, disclaimer of opinion, or qualification). The applicant or registrant must also request the former accountant to furnish the applicant or registrant with a letter addressed to the Commission stating whether he agrees with the statements contained in the notice of the applicant or registrant and, if not, stating the respects in which he does not agree. Each copy of the notice and accountant's letter must be manually signed by the sole proprietor or a general partner or a duly authorized corporate officer of the applicant or registrant, as appropriate, and by the accountant.

(3) If (i) within the 24 months prior to the date of the most recent audited financial statement, a notice has been filed pursuant to paragraph (g) (1) of this section reporting a change of accountants, (ii) included in such filing there is a reported disagreement on any matters of accounting principles or practices, financial statements disclosure, auditing scope, or noncompliance with the applicable rules of the Commission, (iii) during the fiscal year in which the change in accountants took place or dur-

ing the subsequent fiscal year, there have been any transactions or events similar to those which involved a reported disagreement, and (iv) such transactions or events are material and were accounted for or disclosed in a manner different from that which the former accountant apparently would have concluded was required, the existence and nature of the disagreements and also the effect on the financial statements must be stated in a written notice to the Commission at its principal office in Washington, D.C., and all contract markets of which the applicant or registrant is a member, if any, if the method which the former accountant apparently would have concluded was required had been followed. These disclosures need not be made if the method asserted by the former accountant ceases to be generally accepted because of authoritative standards or interpretations subsequently issued. The notice required by this paragraph (g) (3) must be filed by the applicant or registrant concurrently with the financial statements to which it pertains.

§ 1.17 [Amended]

4. By revising § 1.17(b) to read as follows:

(b) The requirements of paragraph (a) of this section shall not be applicable if the applicant for registration or the registrant is a member of a contract market and conforms to minimum financial standards and related reporting requirements set by such contract market in its bylaws, rules, regulations or resolutions approved by the Commission pursuant to section 4f(2) of the Act after the effective date of this regulation.

Statement of income (loss)

	Current period	Corresponding prior period
REVENUE		
1. Net sales cash commodities less.....		
Cost of goods sold.....		
Gross income from sales.....		
2. Commissions:		
(a) Commodity futures transactions.....		
(b) Security transactions.....		
3. Interest and dividends.....		
4. Firm trading accounts:		
(a) Realized gain (loss).....		
(b) Unrealized gain (loss).....		
5. Other income (itemize here or on a separate page).....		
6. Total revenue.....		
EXPENSES		
7. Commissions and floor brokerage.....		
8. Employee compensation and benefits.....		
9. Occupancy and equipment rental.....		
10. Interest.....		
11. Communications.....		
12. Taxes other than income taxes.....		
13. Bad debt expense.....		
14. Other operating expenses.....		
15. Total expenses.....		
16. Income (loss) before income tax expense and appropriate items below.....		
17. Income tax expense.....		
18. Minority interest in income of consolidated subsidiaries.....		
19. Equity in earnings of unconsolidated subsidiaries and 50 percent or less owned persons.....		
20. Income or loss before extraordinary items.....		
21. Extraordinary items, less applicable tax.....		
22. Cumulative effects of changes in accounting principles, less applicable tax.....		
23. Net income or loss.....		

§ 1.18 [Amended]

5. By revising § 1.18(b) to read as follows:

(b) Each applicant or registrant must make and keep as a record in accordance with § 1.31, formal computations of his adjusted working capital and of its minimum financial requirements pursuant to § 1.17 as of the close of business each month. Such computations must be completed and made available for inspection by any representative of the Commission or any contract market of which the applicant or registrant is a member, if any, by the close of the tenth business day after the date for which the computations are made, commencing the first month end after the date his application for registration is filed or the first month end after (the effective date of this section).

APPENDIX A

Form 1-FR remains the same except for the following:

1. The title of Schedule 1 has been changed from "Determination of Adequacy of Capital Position in Meeting Minimum Capital Requirements" to "Statement of the Computation of the Minimum Capital Requirements Pursuant to Section 1.17."

2. A "Statement of Income (Loss)" has been added.

3. A "Statement of Changes in Financial Position" has been added.

4. A "Statement of Changes in Liabilities Subordinated to the Claims of General Creditors" has been added.

5. A "Statement of Changes in Ownership Equity" has been added.

The format for the new statements follows:

STATEMENT OF CHANGES IN
FINANCIAL POSITION

The statement may be in any format which is relevant, but must be in accordance with generally accepted accounting principles.

STATEMENT OF CHANGES IN LIABILITIES
SUBORDINATED TO CLAIMS OF GENERAL CREDITORS

Subordinated borrowings as previously reported \$-----
Increases (itemize here or on a separate page) -----
Decreases (itemize here or on a separate page) -----
Subordinated borrowings currently reported -----

STATEMENT OF CHANGES IN
OWNERSHIP EQUITY

Ownership equity as previously reported \$-----
Net income (loss) -----
Additions (itemize here or on a separate page) -----
Deductions (itemize here or on a separate page) -----
Ownership equity currently reported -----
* * * * *

Interested persons are invited to submit written comments on the proposed regulations to the Commodity Futures Trading Commission, 2033 "K" Street,

N.W., Washington, D.C. 20581, Attention: Secretariat Comments received on or before November 30, 1976, will be considered by the Commission before taking action on the proposed regulations. Copies of all comments received will be available for inspection at the Commission's office in Washington, D.C.

Issued in Washington, D.C., on October 6, 1976, by the Commission.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures
Trading Commission.

[FR Doc. 76-29311 Filed 10-14-76; 8:45 am]

federal register

FRIDAY, OCTOBER 15, 1976



PART IV:

**DEPARTMENT OF
HEALTH,
EDUCATION, AND
WELFARE**

Public Health Service



**DESIGNATION OF
MEDICALLY
UNDERSERVED AREAS**

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

MEDICALLY UNDERSERVED AREAS AND POPULATION GROUPS

Designation

The purpose of this notice is to publish the current list of medically underserved areas as designated by the Secretary of Health, Education, and Welfare. The notice describes how the index of medical underservice is used to produce the list of medically underserved areas, and sets forth the procedure for ongoing revision of the list.

The Secretary's first designation of medically underserved areas, under the provisions of the Health Maintenance Organization Act of 1973 (Pub. L. 93-222), appeared as a notice in the *FEDERAL REGISTER* on September 2, 1975 (40 FR 40315-451). The notice contained a full description of the methodology for determining medical underservice. Single copies can be obtained from the appropriate DHEW Regional Office.

Sections 1302(7) and 330(b) (3) of the Public Health Service Act state that the term "medically underserved population" means the population of an urban or rural area designated by the Secretary as an area with a shortage of personal health services or a population group designated by the Secretary as having a shortage of such services.

Under the provisions of the Health Maintenance Organization Act, projects that will draw not less than 30 percent of their membership from medically underserved populations may receive priority funding.

Section 330 of the Public Health Service Act, established by Pub. L. 94-63, provides that grants may be made to public and nonprofit private entities for projects to plan, develop, or operate community health centers which serve medically underserved populations.

Section 1611(d) (2) under Title XVI of the PHS Act, established by Pub. L. 93-641, requires that in any fiscal year not less than 25 percent of the amount of a State's allotment under Part B of title XVI available for obligation in that fiscal year shall be obligated for projects for outpatient facilities which will serve medically underserved populations. The legislative history of title XVI makes clear that the Secretary is expected to utilize the same operational definition of a medically underserved population for title XVI purposes as is used elsewhere in the PHS Act. (See S. Rept. No. 93-1285 at 59.)

Health maintenance organization, community health center, and health facility applicants who wish to apply for funding under the above sections should consult this list to determine which areas in their localities are medically underserved. To learn if there have been changes subsequent to the publication of this list, applicants should contact their local planning agencies.

APPLICATION OF THE INDEX OF MEDICAL UNDERSERVICE

The basis for identifying medically underserved areas and populations is the index of medical underservice (IMU). The IMU is obtained by applying weights to data on the following indicators:

- (1) Ratio of primary care physicians to population;
- (2) Infant mortality rate;
- (3) Percentage of the population which is age 65 or over; and
- (4) Percentage of the population with family income below the poverty level.

County-level data are used for two of the indicators: the physician-to-population ratio and the infant mortality rate. For the two census indicators (percentage of the population below the poverty level and percentage of the population age 65 or over), county, minor civil division (MCD), or census county division (CCD) data are used in non-metropolitan areas, and census tract data are used in metropolitan areas. A weighted value is determined for each indicator and the sum of these values forms the IMU score.

In the development of the current MUA list, the 1975 median IMU score of all U.S. counties, 62.0, was used as the cut-off point between underserved and adequately served areas. Index values were computed for each non-metropolitan county, and those counties with scores of 62.0 or below are listed as medically underserved. Index values were then computed for all MCD/CCDs in non-metropolitan counties with scores greater than 62.0, and those MCD/CCDs with scores of 62.0 or below are on the list. In metropolitan areas, defined here as census tracts which lie within standard metropolitan statistical areas (SMSA), the IMU was computed for each census tract and all census tracts with scores of 62.0 or below are on the list. Areas with a population of fewer than 500 (whether counties, MCD/CCDs, or census tracts) were excluded from consideration as underserved to eliminate listing such places as parks and airports.

The list of areas resulting from application of the IMU was then revised based on approved deletions and additions recommended by the comprehensive health planning (CHP) ¹ agencies.

¹ Prior to the implementation of Pub. L. 93-641, recommendations were made by the areawide CHP agencies under the authority of Section 314(b) of the PHS Act, and by State CHP agencies under Section 314(a) of the Act (Pub. L. 89-749). In April 1976, with the designation of the first health systems agencies under Section 1515 of the PHS Act (Pub. L. 93-641), phase-out of the 314(b) CHP agencies began. The CHP phase-out process is expected to be completed by early 1977 when all of the over-200 health systems are operational and the transfer of areawide health planning functions has been realized. For the 314(a) CHP agencies, a corresponding substitution of State health planning and development agencies (under the authority of Section 1521 of the PHS Act) be-

ONGOING REVISION OF THE MUA LIST

The MUA list will be revised and published periodically, based on the most recent data available nationally. The updates will be based on changes in the actual values of the indicators or adjustments in the cut-off level. Health systems agencies (HSA) ² or CHP agencies may at any time recommend changes in the list to reflect local knowledge of medical underservice. As current local data are not available nationally and some areas may be included or excluded inappropriately, HSAs are urged to review the list and to recommend deletions and additions.

All health systems agency recommendations will be reviewed to determine acceptability. If the recommended deletion of an area is accepted, that deletion will be considered permanent until the HSA requests reinstatement of the area. If the recommended addition of an area is accepted, the addition will be subject to periodic review to determine the validity of its retention based on the latest available data, i.e., data for years more recent than those urged to support the recommendation for addition.

PROCEDURE FOR SUBMISSION OF RECOMMENDATIONS

A recommendation for deletion or addition of an area must be accompanied by the agency's reason for the recommendation. All computations, as well as data sources and dates, must be submitted with a recommendation for addition of an area except when the area has a population of fewer than 500 and an IMU of 62.0 or less. If there has been public involvement in the recommendations, the material submitted should include a description of such involvement, e.g., documentation of relevant public meetings, copies of the agency's published notice of intent to review its area to identify pockets of medical underservice, or satisfactory demonstration that the agency governing or advisory board as representative of the community has had adequate review opportunity and has approved the recommendations of the HSA.

Health systems agencies and official CHP agencies are to send their recommendations to:

Division of Monitoring and Analysis, Bureau of Community Health Services, DHEW, 5600 Fishers Lane, Rockville, Maryland 20852.

Also, a copy of the recommendations is to be sent to the appropriate DHEW

gan on July 1, 1976. Until the phase-out is completed, federally funded CHP agencies will continue to make recommendations for the MUA list.

² In Hawaii, Rhode Island, the District of Columbia, the Virgin Islands, Guam, the Trust Territories in the Pacific Islands, and American Samoa, the State health planning and development agencies (SHPDA) carry out the functions of health systems agencies (see Section 1536 of the PHS Act).

Regional Office (for address, see 45 CFR 5.31(b)).

Deletions. Recommendation for deletion of an area must be accompanied by identification of the area as it appears on the MUA list and the reasons for the recommendation.

Additions. Recommendation for addition of an area to the MUA list must be based on computation of an IMU score of 62.0 or less, using locally available data or data more recent than that used for this list. (See data sources under the heading, "The List of Medically Underserved Areas.") Before computing an IMU for an area with fewer than 500 population, the HSA should check with the Bureau of Community Health Services (address above) to determine whether or not the IMU for that area is 62.0 or less.

The following information must accompany a recommendation for addition of an area:

(a) Geographic identification of the area (names, census codes, or a map outlining the area proposed).

An area proposed for designation as medically underserved must be or approximate either:

(1) A county (in non-metropolitan areas),

(2) A minor civil division (MCD) or census county division (CCD) (in non-metropolitan areas),

(3) A census tract (in metropolitan areas), or

(4) A group of census tracts, MCDs, or CCDs which constitute a "natural neighborhood" for MUA designation. These groups can be listed as underserved if the IMU for the combined area is 62.0 or below. Because of the homogeneity of a neighborhood, such groupings may constitute more natural areas for designation as medically underserved than units such as individual census tracts, MCDs, and CCDs.

(b) Data on the four indicators and computations of the index of medical underservice.

(1) Percentage of population with incomes below the poverty level. (The definition of poverty used is the 1964 Social Security Administration version adopted by the Federal Interagency Committee in 1969.)

This percentage must be computed from 1970 Census of Population data or more recent update thereof, if any, as follows: The number of persons in families with incomes below the poverty level in the identified area is added to the number of unrelated individuals with incomes below the poverty level; this total is divided by the resident population minus members of the Armed Forces living in barracks, students in dormitories, and inmates of institutions; and the result multiplied by 100.

The figures used to compute this percentage (the resident population, inmates of institutions, Armed Forces living in barracks, students in dormitories, and the number of persons with incomes below the poverty level) must be stated. The data can be obtained from the 1970 U.S. Census Bureau publications or tapes. If the data are obtained from

more recent sources, both data and sources must be identified.

Compute the percentage of population with incomes below the poverty level for the appropriate area: census tracts or combinations of census tracts in metro-

politan counties; MCD/CCD or combinations of MCD/CCDs in non-metropolitan counties; or the whole non-metropolitan county. Convert the computed percentage to the weighted value V_1 using Table V₁.

TABLE V₁

PERCENTAGE OF POPULATION
BELOW POVERTY LEVEL

In the left column find the range which includes the percentage of population below poverty level for the area being examined. The corresponding weighted value, found opposite in the right column, should be used in the formula for determining the IMU.

Percent Below Poverty	Weighted Value V_1
0	25.1
.1- 2.0	24.6
2.1- 4.0	23.7
4.1- 6.0	22.8
6.1- 8.0	21.9
8.1-10.0	21.0
10.1-12.0	20.0
12.1-14.0	18.7
14.1-16.0	17.4
16.1-18.0	16.2
18.1-20.0	14.9
20.1-22.0	13.6
22.1-24.0	12.2
24.1-26.0	10.9
26.1-28.0	9.3
28.1-30.0	7.8
30.1-32.0	6.6
32.1-34.0	5.6
34.1-36.0	4.7
36.1-38.0	3.4
38.1-40.0	2.1
40.1-42.0	1.3
42.1-44.0	1.0
44.1-46.0	.7
46.1-48.0	.4
48.1-50.0	.1
50+	0

(3) Percentage of population age 65 or over.

This percentage must be computed from 1970 U.S. Census of Population data or more recent update thereof, if any, as follows: the number of persons age 65 or over in the identified area is divided by the resident population of that area, and the result multiplied by 100.

The figures used to compute this percentage (number of persons age 65 or over, and the resident population) must be stated. These data can be obtained

from U.S. Census Bureau publications or tapes. If data are obtained from other more recent sources, data and sources must be identified.

Compute the percentage of population age 65 or over for the appropriate area: census tract or combination of census tracts in metropolitan counties; MCD/CCD or combination of MCD/CCDs in nonmetropolitan counties; or the whole non-metropolitan county. Convert the computed percentage to the weighted value, V_2 using Table V₂.

TABLE V₂
PERCENTAGE OF POPULATION
AGE 65 AND OVER

In the left column find the range which includes the percentage of population age 65 and over for the area being examined. The corresponding weighted value, found opposite in the right column, should be used in the formula for determining the IMU.

Percent Age 65 and Over	Weighted Value V ₂
0- 7.0	20.2
7.1- 8.0	20.1
8.1- 9.0	19.9
9.1-10.0	19.8
10.1-11.0	19.6
11.1-12.0	19.4
12.1-13.0	19.1
13.1-14.0	18.9
14.1-15.0	18.7
15.1-16.0	17.8
16.1-17.0	16.1
17.1-18.0	14.4
18.1-19.0	12.8
19.1-20.0	11.1
20.1-21.0	9.8
21.1-22.0	8.9
22.1-23.0	8.0
23.1-24.0	7.0
24.1-25.0	6.1
25.1-26.0	5.1
26.1-27.0	4.0
27.1-28.0	2.8
28.1-29.0	1.7
29.1-30.0	.6
30+	0

(3) Infant mortality rate.

This rate must be computed as an aggregate rate for the 5-year period 1969 through 1973, or more recent period of 5 consecutive years, as follows: the total number of deaths of infant residents (deaths between birth and age 1 year) during the 5-year period in the county containing the identified area is divided by the total number of live births to residents of the county during the same period and the result multiplied by 1,000. For counties with fewer than 100 live births over the 5-year period, the IMU may be computed using the State infant mortality rate instead of the county rate. The infant mortality rate for a subcounty

area which includes the identified area and has had at least 4,000 births over the 5-year period will be accepted in lieu of the county rate. The number of infant deaths and live births for the subcounty area and the sources of data used must be stated, together with the infant mortality rate computed from them. Data on infant deaths and live births may be obtained from official State agencies or the annual editions of the U.S. Public Health Service publication entitled "Vital Statistics of the United States."

Compute the infant mortality rate for the county and convert it to the weighted value V₂ using Table V₂.

TABLE V₃

INFANT MORTALITY RATE

In the left column find the range which includes the infant mortality rate for the area being examined or the area in which it lies. The corresponding weighted value, found opposite in the right column, should be used in the formula for determining the IMU.

Infant Mortality Rate	Weighted Value V ₃
0-10.0	26.0
10.1-11.0	25.6
11.1-12.0	24.8
12.1-13.0	24.0
13.1-14.0	23.2
14.1-15.0	22.4
15.1-16.0	21.5
16.1-17.0	20.5
17.1-18.0	19.5
18.1-19.0	18.5
19.1-20.0	17.5
20.1-21.0	16.4
21.1-22.0	15.3
22.1-23.0	14.2
23.1-24.0	13.1
24.1-25.0	11.9
25.1-26.0	10.8
26.1-27.0	9.6
27.1-28.0	8.5
28.1-29.0	7.3
29.1-30.0	6.1
30.1-31.0	5.4
31.1-32.0	5.0
32.1-33.0	4.7
33.1-34.0	4.3

Infant Mortality Rate	Weighted Value V_3
34.1-35.0	4.0
35.1-36.0	3.6
36.1-37.0	3.3
37.1-38.0	3.0
38.1-39.0	2.6
39.1-40.0	2.3
40.1-41.0	2.0
41.1-42.0	1.8
42.1-43.0	1.6
43.1-44.0	1.4
44.1-45.0	1.2
45.1-46.0	1.0
46.1-47.0	.8
47.1-48.0	.6
48.1-49.0	.3
49.1-50.0	.1
50+	0

(4) Ratio of primary care physicians to population.

This ratio should be computed by dividing the number of primary care physicians in the county which contains the identified area by the civilian non-institutional population, and multiplying the result by 1,000. Figures used for the number of primary care physicians and the civilian non-institutional population (resident population minus the resident members of the Armed Forces and inmates of institutions) and their sources must be stated. For the purpose of these

computations, primary care physicians are defined to include the total number of active doctors of medicine (M.D.) and doctors of osteopathy (D.O.) who spend at least 50 percent of their time engaged in direct patient care in the fields of general or family practice, internal medicine, pediatrics, or obstetrics and gynecology. The computations must include all non-Federal physicians meeting the above definition.

Compute the physician ratio for the county and convert to weighted value V_4 using Table V_4 .

TABLE V₄
PRIMARY CARE PHYSICIANS
PER 1,000 POPULATION

In the left column find the range which includes the ratio of primary care physicians per 1,000 population for the county being examined, or the county in which the area being examined lies. The corresponding weighted value, found opposite in the right column, should be used in the formula for determining the IMU.

Primary Care Physicians Per 1,000 Population	Weighted Value V ₄
0	0
.001-.050	.5
.051-.100	1.5
.101-.150	2.8
.151-.200	4.1
.201-.250	5.7
.251-.300	7.3
.301-.350	9.0
.351-.400	10.7
.401-.450	12.6
.451-.500	14.8
.501-.550	16.9
.551-.600	19.1
.601-.650	20.7
.651-.700	21.9
.701-.750	23.1
.751-.800	24.3
.801-.850	25.3
.851-.900	25.9
.901-.950	26.6
.951-1.000	27.2
1.001-1.050	27.7
1.051-1.100	28.0
1.101-1.150	28.3
1.151-1.200	28.6
Over 1.200	28.7

(5) Computation of the index of medical underservice. The IMU is computed by using the formula: $IMU = V_1 + V_2 + V_3 + V_4$.

If the IMU score for an area is 62.0 or below, the area may be recommended for addition to the MUA list. If the IMU score is greater than 62.0, the area may be recommended for deletion.

POSSIBLE EXCEPTIONS

The Secretary recognizes that there may be certain areas which do not qualify for the MUA list solely on the basis of the computed IMU. An area can have unusual conditions which reduce the availability or accessibility of primary medical care but which are not reflected in the area's overall IMU score. If there

are mitigating circumstances which would bear on the value of a particular indicator, there can be in-depth review of the additional information affecting the factors involved in computing the IMU.

Conditions that reduce the availability of medical services by increasing demand could be, for example, an area that has a large influx of migrant farmworkers which substantially alters the physician-to-population ratio during the growing season; or an area that has had a significant increase since the 1970 census in the number of persons age 65 or over, or in the number of persons living in poverty. Also, accessibility factors, such as physical barriers, lack of all-weather roads, severe weather a major

portion of the year, distance to or time spent to reach sources of primary care, or relevant socio-economic factors may help to qualify an area for consideration. To the extent possible, the information describing unusual conditions should be quantified and verified by the recommending HSA. Areas designated as Critical Health Manpower Shortage Areas (as authorized by Section 329(b) of the PHS Act) are designatable as medically underserved.

Recommendations for designation as a medically underserved area based on unusual conditions should (a) be prepared by the health systems agency, (b) state the primary cause of the medical underservice, (c) describe all factors causing the underservice, (d) be supported by all relevant data, sources, and dates, and (e) be submitted through the Regional Office to:

Director, Bureau of Community Health Services, DHEW, 5600 Fishers Lane, Rockville, Maryland 20852.

Alternatively, the Regional Office, with the concurrence of the health systems agency, can directly supply such information to the Bureau of Community Health Services.

THE LIST OF MEDICALLY UNDERSERVED AREAS

The index of medical underservice on which the list is based was computed using data from the following sources:

Center for Health Services Research and Development, 1973 Physician County Summary File. Chicago. American Medical Association, 1974.

Master File of Osteopathic Physicians, December 31, 1974. Chicago. American Osteopathic Association, 1975.

U.S. Bureau of the Census, 1970 Census of Population, 2d and 4th Count Files.

Maternal and Child Health Studies Project, 1969-1973 Infant Mortality County Summary File, Washington. Information Sciences Research Institute, 1976.

The list is structured with the States in alphabetical order. There are four headings which identify total counties, minor civil divisions/census county divisions within counties, census tracts within counties, and groups of census tracts. The MCD/CCDs are identified by name; the census tracts are identified by number. Areas in each of the sections are listed alphabetically by county.

Groups of census tracts are listed only when the HSA or CHP agency has certified that particular groupings form natural areas for designation. Census tracts which individually qualify for designation but have been combined with other tracts in groups have been marked with double asterisks in the group listings.

The following areas are designated by the Secretary as medically underserved.

Dated: October 4, 1976.

THEODORE COPPER, M.D.,
Assistant Secretary for Health.

LIST OF MEDICALLY UNDERSERVED AREAS

ALABAMA

COUNTY NAME
 AUTAUGA
 BARBOUR
 BIBB
 BLOUNT
 BULLOCK
 BUTLER
 CALHOUN
 CHAMBERS
 CHEROKEE
 CHILTON
 CHOCTAW
 CLARK
 CLAY
 CLEBURNE
 COFFE
 COLBERT
 CONE
 COOCH
 COVINGTON
 CRENSHAW
 CULLMAN
 DALLAS
 DE KALB
 ESCAMBA
 FAYETTE
 FRANKLIN
 GENEVA
 GREENE
 HALE
 HENRY
 HOUSTON
 JACKSON
 LAMAR
 LAWRENCE
 LEE
 LOWMEYER
 MACON
 MARENGO
 MARION
 MARSHALL
 MONROE
 PERRY
 PICKENS
 PITT

COUNTIES

LIST OF MEDICALLY UNDERSERVED AREAS

ALABAMA

COUNTY NAME
 RANDOLPH
 ST. CLAIR
 SUMTER
 TALLADEGA
 TALLAPOOSA
 WASHINGTON
 WILCOX
 WINSTON

COUNTIES (CONTINUED)

MCD/CCD* WITHIN COUNTY

LAUDERDALE

CLOVERDALE DIV
 ROGERSVILLE DIV
 OAKLAND DIV
 WATERLOO DIV

MORGAN

DANVILLE DIV
 FALMOUTH DIV

CENSUS TRACTS WITHIN COUNTY

BALDRIN

0101.00 0102.00 0103.00 0104.00 0105.00 0106.00
 0107.00 0108.00 0109.00 0110.00 0111.00 0112.00
 0113.00 0114.00 0115.00 0116.00

ELMORE

0101.00 0102.00 0103.00 0104.00 0105.00 0106.00
 0107.00

ETOWAH

0001.00 0002.00 0003.00 0004.00 0005.00 0006.00
 0007.00 0008.00 0009.00 0010.00 0011.00 0012.00
 0013.00 0014.00 0015.00 0016.00 0017.00 0018.00
 0019.00 0020.00 0021.00 0022.00 0023.00 0024.00
 0025.00 0026.00 0027.00 0028.00 0029.00 0030.00
 0031.00 0032.00 0033.00 0034.00 0035.00 0036.00
 0037.00 0038.00 0039.00 0040.00 0041.00 0042.00
 0043.00 0044.00 0045.00 0046.00 0047.00 0048.00
 0049.00 0050.00 0051.00 0052.00 0053.00 0054.00
 0055.00 0056.00 0057.00 0058.00 0059.00 0060.00
 0061.00 0062.00 0063.00 0064.00 0065.00 0066.00
 0067.00 0068.00 0069.00 0070.00 0071.00 0072.00
 0073.00 0074.00 0075.00 0076.00 0077.00 0078.00
 0079.00 0080.00 0081.00 0082.00 0083.00 0084.00
 0085.00 0086.00 0087.00 0088.00 0089.00 0090.00
 0091.00 0092.00 0093.00 0094.00 0095.00 0096.00
 0097.00 0098.00 0099.00 0100.00

JEFFERSON

0001.00 0002.00 0003.00 0004.00 0005.00 0006.00
 0007.00 0008.00 0009.00 0010.00 0011.00 0012.00
 0013.00 0014.00 0015.00 0016.00 0017.00 0018.00
 0019.00 0020.00 0021.00 0022.00 0023.00 0024.00
 0025.00 0026.00 0027.00 0028.00 0029.00 0030.00
 0031.00 0032.00 0033.00 0034.00 0035.00 0036.00
 0037.00 0038.00 0039.00 0040.00 0041.00 0042.00
 0043.00 0044.00 0045.00 0046.00 0047.00 0048.00
 0049.00 0050.00 0051.00 0052.00 0053.00 0054.00
 0055.00 0056.00 0057.00 0058.00 0059.00 0060.00
 0061.00 0062.00 0063.00 0064.00 0065.00 0066.00
 0067.00 0068.00 0069.00 0070.00 0071.00 0072.00
 0073.00 0074.00 0075.00 0076.00 0077.00 0078.00
 0079.00 0080.00 0081.00 0082.00 0083.00 0084.00
 0085.00 0086.00 0087.00 0088.00 0089.00 0090.00
 0091.00 0092.00 0093.00 0094.00 0095.00 0096.00
 0097.00 0098.00 0099.00 0100.00

LIMESTONE

0201.00 0202.00 0203.00 0204.00 0205.00 0206.00
 0207.00 0208.00 0209.00 0210.00 0211.00 0212.00

LIST OF MEDICALLY UNDERSERVED AREAS

ALABAMA

COUNTY NAME

CENSUS TRACTS WITHIN COUNTY (CONTINUED)

HADDISON	0011.00	0012.00	0016.00	0021.00	0101.00	0102.00	
	0105.00	0107.00	0112.00	0113.00			
MOBILE	0002.00	0003.00	0004.01	0004.02	0005.00	0006.00	
	0007.01	0007.02	0008.00	0009.01	0009.02	0009.03	
	0010.01	0010.02	0011.00	0012.01	0012.02	0013.01	
	0013.02	0014.00	0015.01	0015.02	0023.02	0025.01	
	0025.02	0026.00	0027.00	0036.02	0038.01	0039.01	
	0039.02	0040.00	0041.00	0042.00	0043.00	0044.00	
	0046.00	0048.00	0049.00	0057.00	0058.00	0059.00	
	0062.00	0064.00	0067.00	0071.00	0072.00		
	MONTGOMERY	0001.00	0002.00	0003.00	0004.00	0005.00	0006.00
		0007.00	0010.00	0011.00	0012.00	0013.00	0014.00
0015.00		0016.00	0024.00	0030.00	0051.00	0054.00	
0055.00		0056.00	0057.00	0058.00	0059.00	0060.00	
0301.00		0302.00	0303.00	0304.00	0305.00	0306.00	
RUSSSELL	0307.00	0308.00	0309.00	0310.00	0311.00	0312.00	
	0301.00	0302.00	0303.00	0304.00	0305.00	0306.00	
SHELBY	0307.00	0308.00					
	0101.00	0103.00	0104.00	0105.00	0106.00	0107.00	
TUSCALOOSA	0112.00	0113.00	0114.00	0116.00	0117.00	0118.00	
	0119.00	0125.00					
WALKER	0201.00	0202.00	0203.00	0204.00	0205.00	0206.00	
	0207.00	0208.00	0209.00	0210.00	0211.00	0212.00	
	0213.00	0214.00	0215.00	0216.00	0217.00	0218.00	
	0219.00						

ANGUON DIVISION
 BETHEL DIVISION
 BRISTOL HAY DIVISION
 KOKUK DIVISION
 KUSKOKWIM DIVISION

ALASKA

COUNTIES

ALASKA

COUNTIES (CONTINUED)

Nome Division
 Outer Ketchikan Division
 Upper Yukon Division
 Wade Hampton Division
 Yukon-Koyukuk Division

MCD/CCD* WITHIN COUNTY

SKAGWAY-YAKUTAT DIVI YAKUTAT PORTION

ARIZONA

COUNTIES

APACHE
 GILA
 MARICOPA

MCD/CCD* WITHIN COUNTY

FLPRIDA DIV

RESERVATION DIV

SAN CARLOS DIV

DUNCAN DIV

HOHAVE NORTH DIV

FLORY DIV

SACATON DIV

PATAGONIA DIV

CONGRESS DIV

SOMERTON DIV

MARICOPA-STAMPFIELD DIV

CENSUS TRACTS WITHIN COUNTY

MARICOPA 0716.00 1128.00 1131.00 1140.00

LIST OF MEDICALLY UNDERSERVED AREAS

ARKANSAS

COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)
POPP	CONVENTENCE TWP GRIFFIN TWP HARTIN TWP	DOVER TWP JACKSON TWP WILSON TWP
SEVIER	MINERAL TWP	RED COLONY TWP
UNION	BOONE TWP VAN BUREN TWP	HENDERSON TWP WILKINGTON TWP
WASHINGTON	BRUSH CREEK TWP PRAIRIE GROVE TWP WINSLOW TWP	LITTLER TWP STARR HILL TWP
WHITT	BALD KNOB TWP HARRISON TWP KENSITT TWP MC RAE TWP RUSSELL TWP VFLVIT RIDGE TWP	BIG CREEK TWP HIGGINSON TWP LIBERTY TWP RED RIVER TWP UNION TWP
YELL	RILEY TWP	WARD TWP

CALIFORNIA

COUNTY NAME	MCD/CCD*	WITHIN COUNTY
MADERA MODOC		ORLAND DIV
GLENN		ORLAND DIV
IMPERIAL		CALEXICO DIV FAST IMPERIAL DIV WESTHORLAND DIV
MERCED		DOS PALOS DIV PLANADA-LE GRAND DIV
SAN BENITO		BOLSA-PACHECO DIV
SIERRA		EAST SIERRA DIV
TULARE		PARLINART DIV TERRA BELLA DIV
		CALIPATEIA DIV WEST IMPERIAL DIV WINTERHAVEN-BARD DIV LIVINGSTON-DELHI DIV
		WEST SIERRA DIV PIXLEY DIV

NOTICES

COUNTY NAME	CENSUS TRACTS WITHIN COUNTY	CENSUS TRACTS WITHIN COUNTY	CENSUS TRACTS WITHIN COUNTY
CRANFORD	0201.00 0202.00 0204.00 0205.00	ALAMEDA	4013.00 4018.00 4026.00 4028.00 4029.00 4034.00
CRITTENDEN	0301.00 0302.00 0303.00 0304.00 0305.00 0306.00 0307.00 0308.00 0309.00 0310.00 0311.00	FRYMO	0001.00 0002.00 0003.00 0004.00 0005.00 0006.00 0007.00 0008.00 0009.00 0010.00 0011.00 0014.01
JEFFERSON	0001.00 0002.00 0003.00 0004.00 0005.00 0006.00 0007.00 0008.00 0009.00 0010.00 0011.00 0012.00 0013.00 0014.00 0015.00 0016.00 0017.00 0018.00 0019.00 0020.00 0021.00 0022.00 0023.00 0024.00 0025.00 0026.00 0027.00 0028.00 0029.00 0030.00 0031.00 0032.00 0033.00 0034.00 0035.00 0036.00 0037.00 0038.00 0039.00 0040.00 0041.00 0042.00 0043.00 0044.00 0045.00 0046.00 0047.00 0048.00 0049.00 0050.00 0051.00 0052.00 0053.00 0054.00 0055.00 0056.00 0057.00 0058.00 0059.00 0060.00 0061.00 0062.00 0063.00 0064.00 0065.00 0066.00 0067.00 0068.00 0069.00 0070.00 0071.00 0072.00 0073.00 0074.00 0075.00 0076.00 0077.00 0078.00 0079.00 0080.00 0081.00 0082.00 0083.00 0084.00 0085.00 0086.00 0087.00 0088.00 0089.00 0090.00 0091.00 0092.00 0093.00 0094.00 0095.00 0096.00 0097.00 0098.00 0099.00 0100.00	KERN	0004.00 0014.00 0015.00 0016.00 0020.00 0021.00 0022.00 0023.00 0024.00 0025.00 0026.00 0027.00 0028.00 0029.00 0030.00 0031.00 0032.00 0033.00 0034.00 0035.00 0036.00 0037.00 0038.00 0039.00 0040.00 0041.00 0042.00 0043.00 0044.00 0045.00 0046.00 0047.00 0048.00 0049.00 0050.00 0051.00 0052.00 0053.00 0054.00 0055.00 0056.00 0057.00 0058.00 0059.00 0060.00 0061.00 0062.00 0063.00 0064.00 0065.00 0066.00 0067.00 0068.00 0069.00 0070.00 0071.00 0072.00 0073.00 0074.00 0075.00 0076.00 0077.00 0078.00 0079.00 0080.00 0081.00 0082.00 0083.00 0084.00 0085.00 0086.00 0087.00 0088.00 0089.00 0090.00 0091.00 0092.00 0093.00 0094.00 0095.00 0096.00 0097.00 0098.00 0099.00 0100.00
MILLER	0201.00 0202.00 0203.00 0204.00 0205.00 0206.00 0207.00 0208.00 0209.00 0210.00		
PULASKI	0001.00 0002.00 0003.00 0004.00 0005.00 0006.00 0007.00 0008.00 0009.00 0010.00 0011.00 0012.00 0013.00 0014.00 0015.00 0016.00 0017.00 0018.00 0019.00 0020.00 0021.00 0022.00 0023.00 0024.00 0025.00 0026.00 0027.00 0028.00 0029.00 0030.00 0031.00 0032.00 0033.00 0034.00 0035.00 0036.00 0037.00 0038.00 0039.00 0040.00 0041.00 0042.00 0043.00 0044.00 0045.00 0046.00 0047.00 0048.00 0049.00 0050.00 0051.00 0052.00 0053.00 0054.00 0055.00 0056.00 0057.00 0058.00 0059.00 0060.00 0061.00 0062.00 0063.00 0064.00 0065.00 0066.00 0067.00 0068.00 0069.00 0070.00 0071.00 0072.00 0073.00 0074.00 0075.00 0076.00 0077.00 0078.00 0079.00 0080.00 0081.00 0082.00 0083.00 0084.00 0085.00 0086.00 0087.00 0088.00 0089.00 0090.00 0091.00 0092.00 0093.00 0094.00 0095.00 0096.00 0097.00 0098.00 0099.00 0100.00		
SALTW	0102.00 0105.00		

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

CALIFORNIA

COLORADO

COUNTY NAME

LOS ANGELES

CENSUS TRACTS WITHIN COUNTY (CONTINUED)

COUNTY NAME

ARCHULETA

1916.01	1923.00	2031.00	2034.00	2045.01	2061.00
2062.00	2063.00	2073.00	2077.00	2078.00	2079.00
2088.00	2089.00	2092.00	2093.00	2094.00	2095.00
2098.00	2113.00	2118.00	2144.00	2146.00	2151.00
2164.00	2214.02	2264.00	2281.00	2282.00	2283.00
2288.00	2289.00	2291.00	2421.00	2426.00	2431.00
4024.04	4088.00	4636.00	5404.00	5716.00	5725.00
5746.01	5758.00	5759.00	5760.00	5761.00	5762.00
5763.00	5765.00	5766.00	5767.00	7014.00	7019.00

MONTEREY

0013.00	0118.00	0129.00
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NAPA

2013.00	2020.00
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RIVERSIDE

0303.00	0422.02	0427.02	0430.00	0431.00	0434.00
0435.00	0437.00	0438.01	0438.02	0440.00	0441.00
0445.00	0448.01				

SACRAMENTO

0005.00	0006.00	0007.00	0009.00	0010.00	0011.00
0014.00					

SAN BERNARDINO

0014.00	0049.00	0054.00	0055.00	0056.00	0057.00
0058.00	0059.00	0060.00	0068.00	0081.00	0087.00
0088.00	0104.03	0104.04			

SAN DIEGO

0013.00	0052.00	0053.00	0059.00
---------	---------	---------	---------

SAN FRANCISCO

0115.00	0125.00
---------	---------

SAN JOAQUIN

0001.00	0006.00	0022.00
---------	---------	---------

SOLANO

2509.00	2527.00	2529.02
---------	---------	---------

SONOMA

1520.00

VENTURA

0032.00	0043.02
---------	---------

MCD/CDD* WITHIN COUNTY

CAMPO DIV

CANON CITY DIV

HUGO DIV

CROOK DIV

WELDONA DIV

HAXTON DIV

GRANADA DIV

TWO BUTTE CREEK DIV

OAK CREEK DIV

CRIPPLE CREEK DIV

CENSUS TRACTS WITHIN COUNTY

0084.00	0089.52
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ADAMS

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

COLORADO

COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)
DENVER	0017.02 0024.02 0025.00 0026.01
EL PASO	0023.00
PUEBLO	0006.00 0007.00 0008.00 0011.00 0012.00 0013.00 0014.00 0015.00 0019.00 0020.00 0021.00 0026.00 0028.02 0029.01 0030.02 0032.00

DIST OF COLUMB

COUNTY NAME	CENSUS TRACTS WITHIN COUNTY
DIST OF COLUMB	0005.00 0013.00 0014.00 0030.00 0033.01 0034.00 0036.00 0038.00 0041.00 0043.00 0044.00 0045.00 0046.00 0047.00 0048.01 0048.02 0049.01 0049.02 0050.00 0051.00 0058.00 0059.00 0060.02 0064.00 0067.00 0069.00 0071.00 0072.00 0074.01 0074.04 0078.01 0078.04 0083.01 0097.00

FLORIDA

COUNTIES

CENSUS TRACTS WITHIN COUNTY

FAIRFIELD	0742.00	DAKER	
HARTFORD	5005.00 5009.00 5010.00 5017.00 5020.00 5046.00	DAY	
NEW HAVEN	1408.00 3501.00	BRADFORD	
NEW LONDON	6902.00 6905.00 6906.00 6907.00 6968.00 6969.00	CALHOUN	
	7022.00 7023.00	CHARLOTTE	
		CITRUS	
		COLUMBIA	
		DE SOTO	
		DIXIE	
		FLAGLER	
		FRANKLIN	
		GADSDEN	
		GILCHRIST	
		GLADES	
		GULF	
		HAMILTON	
		HARDY	
		HENDRY	
		HERNANDO	
		HIGHLANDS	
		HOLMES	
		JACKSON	
		JEFFERSON	
		LAFAYETTE	
		LAKE	
		LEVI	
		LIBERTY	
		MADISON	
		MARTIN	
		MARTIN	

MCD/CCD* WITHIN COUNTY

MILTON DIV

CENSUS TRACTS WITHIN COUNTY

NEW CASTLE	0001.00 0004.00 0007.00 0009.00 0011.00 0016.00
	0019.00 0021.00

LIST OF MEDICALLY UNDERSERVED AREAS

FLORIDA

FEDERAL REGISTER, VOL. 41, NO. 201—FRIDAY, OCTOBER 15, 1976

LIST OF MEDICALLY UNDERSERVED AREAS

GEORGIA

COUNTIES (CONTINUED)

COUNTY NAME
 CRAWFORD
 CRISP
 DADE
 DAWSON
 DECATUR
 DODGE
 DOOLY
 FARLI
 FCHOLS
 FFFINGHAM
 ELBERT
 EMANUEL
 EVANS
 FANNIN
 FLOYD
 FORSYTH
 GILMER
 GLASCOCK
 GLYNN
 GRADY
 GREENE
 HANCOCK
 HARDEE
 HART
 HEARD
 HENRY
 IRWIN
 JASPER
 JEFF DAVIS
 JEFFERSON
 JENNINGS
 JOHNSON
 JONES
 LAWLER
 LAURENS
 LEE
 LEBERTY
 LINGOLM
 LONG
 LUNDKIN
 MCDUFFIE
 MCINTOSH
 MACON
 MADISON
 MARION

LIST OF MEDICALLY UNDERSERVED AREAS

FLORIDA

CENSUS TRACTS WITHIN COUNTY (CONTINUED)

COUNTY NAME
 SANTA ROSA
 SEMINOLE
 DADE
 DADE

0101.00 0102.00 0104.00 0105.00 0106.00 0107.00
 0108.00
 0201.00 0202.00 0204.00 0205.00 0207.00 0210.00
 0211.00 0212.00 0213.00 0219.00

GROUPS OF CENSUS TRACTS
 AREA 1 0042.00** 0043.00** 0044.00** 0045.00**
 AREA 2 0113.00 0114.00

GEORGIA

COUNTIES

APPLING
 ATKINSON
 BAKER
 BARKS
 BARTON
 BAY HILL
 BERNARD
 BLENKLEY
 BRANTLEY
 BROOKS
 BRYAN
 BULLOCK
 BURKE
 BUTTS
 CALHOUN
 CAMDEN
 CANDLER
 CARROLL
 CHARLTON
 CHATTOOGA
 CLAY
 CLYDE
 COFFE
 COLQUITT
 COOK

LIST OF MEDICALLY UNDERSERVED AREAS

GEORGIA

COUNTY NAME
 PRINCEWILL
 MILLER
 MITCHELL
 MONROE
 MONTGOMERY
 MORGAN
 MURRAY
 NEWTON
 OCONEE
 OLGETHORPE
 PEACH
 PICKENS
 PIERCE
 PIKE
 POLK
 PULASKI
 PUTNAM
 QUINCY
 RANDOLPH
 SCHLEY
 SCRIVEN
 STEWART
 SUMTER
 TALBOT
 TALIAFERRO
 TATNALL
 TAYLOR
 TERRELL
 THOMAS
 THOMAS
 TOOMBS
 TREUTLEN
 TROUP
 TURNER
 TWIGGS
 UNION
 UPSON
 WALTON
 WARREN
 WASHINGTON
 WAYNE
 WEBSTER
 WHEELER
 WILCOX
 WILKES

COUNTIES (CONTINUED)

COUNTY NAME
 WILKINSON
 WORTH

LIST OF MEDICALLY UNDERSERVED AREAS

GEORGIA

COUNTIES (CONTINUED)

MCD/COD* WITHIN COUNTY

MIDWAY-HARDWICK DIV
 BETHLEHEM DIV
 CATOOSA SPRINGS DIV
 BALL GROUND DIV
 APPLING DIV
 NEWMAN DIV
 DOUGLASVILLE DIV
 SANDY CROSS DIV
 FAIRMOUNT DIV
 BUCHANAN DIV
 HAYSVILLE DIV
 MILNER DIV
 HAHIRA DIV
 YORKVILLE DIV
 CLAYTON DIV
 NORTH ROCKDALE DIV
 TOCCOA CREEK DIV
 PHILLIPSBURG-UNIONVILLE D
 MACEDONIA DIV
 DIXIE UNION DIV
 RINGGOLD DIV
 LATHENTOWN DIV
 SENOIA DIV
 FAIRPLAY DIV
 ROCKDALE
 STEPHENS
 TIFT
 TOWNS
 WARE
 MANOR DIV

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

GEORGIA

COUNTY NAME

BIBB

CENSUS TRACTS WITHIN COUNTY

0101.00

0108.00

0115.00

0127.00

0001.00

0008.00

0015.00

0022.00

0028.00

0044.00

CHATTANOOCHEE

0201.00

DE KALE

0206.00

DOUGHERTY

0002.00

0102.00

FULTON

0008.00

0022.00

0037.00

0046.00

0087.01

HOUSTON

0201.00

RICHTON

0004.00

0015.00

WALKER

0207.00

COLLINGS CONSO

0001.00

0013.00

0023.00

0030.00

COUNTY NAME

BINGHAM

BOISE

BOUNDARY

CLEARWATER

CUSTER

LIMCOLM

MINIDOKA

ORVHEE

WASHINGTON

COUNTIES

IDAHO

HCD/CCD* WITHIN COUNTY

LAVA HOT SPRINGS DIV

TENSED DIV

CLARKS FORK DIV

SWEET DIV

HAMPR DIV

NEW PLYMOUTH DIV

ROBERTS DIV

CENSUS TRACTS WITHIN COUNTY

0001.00

ADA

HAWAII

CENSUS TRACTS WITHIN COUNTY

0052.00

ALEXANDER

BROWN

CALHOUN

CLARK

CLAY

DE WITT

EDWARDS

ILLINOIS

COUNTIES

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

ILLINOIS

ILLINOIS

COUNTY NAME
 PAYETTE
 FRANKLIN
 GREENE
 HARDIN
 JOHNSON
 LAWRENCE
 MASSAC
 MORGAN
 PIKE
 POPE
 POLASKI
 PUTNAM
 SALINE
 SCHUYLER
 SCOTT
 UNION
 WARREN
 WASHINGTON

COUNTIES (CONTINUED)

MCD/CCD* WITHIN COUNTY (CONTINUED)

FULTON
 ASTORIA TWP
 CASS TWP
 LPRISTOWN TWP
 BUCKHEART TWP
 HARRIS TWP
 VERMONT TWP
 GALLATIN
 GOLD HILL TWP
 NORTH FORK TWP
 NEW HAVEN TWP
 OMAHA TWP
 HAMILTON
 CROUCH TWP
 MC LEANSBORO TWP
 TWIGG TWP
 DAHLGREN TWP
 MAYBERRY TWP
 HANCOCK
 AUGUSTA TWP
 LA HARPE TWP
 CHILI TWP
 HENDERSON
 BIGGSVILLE TWP
 LOHAX TWP
 IPOQUOIS
 MARTINTON TWP
 RIDGELAND TWP
 PIGEON GROVE TWP
 STOCKLAND TWP
 JASPER
 CROOKED CREEK TWP
 STE MARIE TWP
 FOX TWP
 WADE TWP
 JEFFERSON
 BALD HILL TWP
 CASHNER TWP
 JERSEY
 RICHROOD TWP
 JO DAVIES
 APPLE RIVER TWP
 WARREN TWP
 KANKAKEE
 RANTENO TWP
 KNOX
 COPILEY TWP
 VICTORIA TWP
 LA SALLE
 FREEDOM TWP
 HOPE TWP
 LEE
 CHINA TWP
 LIVINGSTON
 NEBRASKA TWP
 LOGAN
 EMINENCE TWP
 HACOUPIN
 SOUTH PALMIRA TWP
 MARION
 ALMA TWP
 STEVENSON TWP

MCD/CCD* WITHIN COUNTY

ADAMS
 CAMP POINT TWP
 HONEY CREEK TWP
 NORTHEAST TWP
 CLAYTON TWP
 KEENE TWP
 BOWD
 TAMALCO TWP
 PANA TWP
 IRISHTOWN TWP
 ST ROSE TWP
 CHRISTIAN
 ASHORE TWP
 EAST OAKLAND TWP
 NORTH OKAN TWP
 CLINTON
 GREENUP TWP
 EDGAR TWP
 JACKSON TWP
 LUCAS TWP
 COLES
 CHARLESTON TWP
 HUMBOLDT TWP
 PLEASANT GROVE TWP
 SUNETER TWP
 KANSAS TWP
 LIBERTY TWP
 CUMBERLAND
 EDGAR
 EPPINGHAM

LIST OF MEDICALLY UNDERSERVED AREAS

ILLINOIS

COUNTY NAME	MCD/CDD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)
MASON	FOREST CITY TWP	QUIVER TWP	COOK	0306.00 0307.00 0310.00 0312.00 0313.00 0314.00 0315.00
MERCER	ABINGTON TWP	KEITHSEURG TWP		0316.00 0317.00 0320.00 0321.00 0322.00 0323.00 0324.00
	MERCER TWP	NEW BOSTON TWP		0608.00 0609.00 0612.00 0613.00 0614.00 0615.00 0616.00
	PERRYTON TWP			0719.00 0720.00 0803.00 0804.00 0805.00 0806.00 0807.00
MONROE	MICHIE PREC			0808.00 0810.00 0812.00 0813.00 0814.00 0815.00 0816.00
				0818.00 0819.00 1603.00 2308.00 2316.00 2317.00 2318.00
				2409.00 2410.00 2411.00 2412.00 2413.00 2414.00 2415.00
				2416.00 2417.00 2418.00 2419.00 2420.00 2421.00 2422.00
MONTGOMERY	AUDUBON TWP	BOIS D'ARC TWP		2523.00 2524.00 2601.00 2602.00 2603.00 2604.00 2605.00
	HILLSBORO TWP	IRVING TWP		2606.00 2607.00 2608.00 2609.00 2610.00 2611.00 2612.00
	WOKOMIS TWP	SOUTH LITCHFIELD TWP		2711.00 2712.00 2713.00 2714.00 2715.00 2716.00 2717.00
	WITT TWP			2718.00 2719.00 2720.00 2721.00 2722.00 2723.00 2724.00
OGLE	WHITE ROCK TWP			2807.00 2808.00 2809.00 2810.00 2811.00 2812.00 2813.00
				2814.00 2815.00 2816.00 2817.00 2818.00 2819.00 2820.00
PERRY	BEAUCOURT PREC	CUTLER PREC		2821.00 2822.00 2823.00 2824.00 2825.00 2826.00 2827.00
				2828.00 2829.00 2830.00 2831.00 2832.00 2833.00 2834.00
SHELBY	DRY POINT TWP	HERRICK TWP		2905.00 2906.00 2907.00 2908.00 2909.00 2910.00 2911.00
	RAVINE TWP	RICHLAND TWP		2912.00 2913.00 2914.00 2915.00 2916.00 2917.00 2918.00
	RIDGE TWP	SHELBYVILLE TWP		2919.00 2920.00 2921.00 2922.00 2923.00 2924.00 2925.00
	WINDSOR TWP			3001.00 3002.00 3003.00 3004.00 3005.00 3006.00 3007.00
STEPHENSON	WINSLOW TWP			3008.00 3009.00 3010.00 3011.00 3012.00 3013.00 3014.00
				3015.00 3016.00 3017.00 3018.00 3019.00 3020.00 3021.00
VERMILION	SIDELL TWP			3022.00 3023.00 3024.00 3025.00 3026.00 3027.00 3028.00
WAYNE	ABINGTON TWP	BEDFORD TWP		3029.00 3030.00 3031.00 3032.00 3033.00 3034.00 3035.00
	BIG ROUND TWP	INDIAN PRAIRIE TWP		3036.00 3037.00 3038.00 3039.00 3040.00 3041.00 3042.00
	LEECH TWP	OREL TWP		3043.00 3044.00 3045.00 3046.00 3047.00 3048.00 3049.00
WHITE	MILL SHOALS TWP			3050.00 3051.00 3052.00 3053.00 3054.00 3055.00 3056.00
				3057.00 3058.00 3059.00 3060.00 3061.00 3062.00 3063.00
WHITTSIDE	CLIDE TWP			3064.00 3065.00 3066.00 3067.00 3068.00 3069.00 3070.00
				3071.00 3072.00 3073.00 3074.00 3075.00 3076.00 3077.00
WILLIAMSON	BLAINEVILLE PREC	CARTERSVILLE PREC	HENRY	3078.00 3079.00 3080.00 3081.00 3082.00 3083.00 3084.00
	CORINTH PREC	CHEAL SPRINGS PREC	KANE	3085.00 3086.00 3087.00 3088.00 3089.00 3090.00 3091.00
	EAST HANION PREC	LAKE CREEK PREC	MCLEAN	3092.00 3093.00 3094.00 3095.00 3096.00 3097.00 3098.00
	STONYPONT PREC		HANCOCK	3099.00 3100.00 3101.00 3102.00 3103.00 3104.00 3105.00
CHAMPAIGN	0001.00 0002.00 0003.00 0004.00 0005.00 0006.00 0007.00			0008.00 0009.00 0010.00 0011.00 0012.00 0013.00 0014.00

NOTICES

LIST OF MEDICALLY UNDERSERVED AREAS

INDIAN

COUNTY NAME	MCD/CDD*	WITHIN COUNTY (CONTINUED)
BENTON	HICKORY GROVE TWP	
CASS	ADAMS TWP	CLINTON TWP
CLINTON	ROSS TWP	WARREN TWP
DECATUR	SALT CREEK TWP	
GIBSON	MONTGOMERY TWP	WHITE RIVER TWP
GREENE	WASHINGTON TWP	WRIGHT TWP
HUNTINGTON	SALAMONIE TWP	
JAY	PENN TWP	
JEFFERSON	MILTON TWP	SALUDA TWP
	SHELBY TWP	SMYRNA TWP
JENNINGS	LOVETT TWP	MARION TWP
KNOX	VIGO TWP	
MARTIN	HALDEFET TWP	LOST RIVER TWP
	HITCHETREE TWP	
MIAMI	PERRY TWP	
OWEN	JEFFERSON TWP	MARION TWP
	MORGAN TWP	WAYNE TWP
PARKE	PENN TWP	
PERRY	CLARK TWP	OIL TWP
POSEY	HARMONY TWP	LYNN TWP
RIPLEY	BROWN TWP	CENTER TWP
	DELAWARE TWP	
RUSH	ORANGE TWP	
SPENCER	HARRISON TWP	JACKSON TWP

LIST OF MEDICALLY UNDERSERVED AREAS

ILLINOIS

COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)				
MADISON	4004.00	4007.00	4021.00	4024.00	
PEORIA	0001.00	0002.00	0004.00	0009.00	0010.00
	0012.00	0013.00	0017.00		
ROCK ISLAND	0206.00	0223.00	0224.00	0234.00	0236.00
ST CLAIR	5001.00	5003.00	5004.00	5005.00	5006.00
	5009.00	5010.00	5011.00	5012.00	5013.00
	5015.01	5015.02	5016.01	5016.02	5016.00
	5018.00	5019.00	5021.00	5022.00	5024.00
	5025.00	5026.03	5026.04	5027.00	5028.00
	5030.00	5031.01	5031.02	5032.02	5032.00
	5033.02	5035.00	5036.00	5037.01	5037.00
	5040.01	5040.02			

INDIANA

COUNTIES

BROWN	PENN TWP	HARRISON TWP
CRAWFORD	CLARK TWP	JACKSON TWP
DAVISS	OIL TWP	
EAVETTE	LYNN TWP	
FRANKLIN	HARMONY TWP	
OHIO	BROWN TWP	
ORANGE	DELAWARE TWP	
PIKE	ORANGE TWP	
STARKE	RUSH	
SWITZERLAND	SPPNCER	
	MCD/CDD* WITHIN COUNTY	UNION TWP
		ST HARYS TWP
		WABASH TWP
		ADAMS

45737

INDIANA
STATE

INDIANA

FEDERAL REGISTER, VOL. 41, NO. 201—FRIDAY, OCTOBER 15, 1976

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

IOWA

IOWA

COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)
CASS	PLEASANT TWP		LOUISA	COLUMBUS CITY TWP	ELIOT TWP
CHEOKEE	PITCHER TWP			MORNING SUN TWP	FORT LOUISA TWP
CLARKE	OSCEOLA CITY TWP	TROY TWP	LYON	WAPELLO TWP	
CLAY	PETERSON TWP			ELGIN TWP	WHEELER TWP
CLAYTON	BOARDMAN TWP	CASS TWP	MAHASKA	RICHLAND TWP	WHITE OAK TWP
	GARNAVILLO TWP	GIARD TWP	MILLS	MALVERN TWP	
	MERON TWP	SEERY TWP	MONONA	COOPER TWP	ORAWA TWP
	WAGNER TWP			ST CLAIR TWP	
CLINTON	CENTER TWP	ORANGE TWP	MONTGOMERY	JACKSON TWP	
DECATUR	GARDEN GROVE TWP	LEON TWP	O BRIEN	HARTLEY TWP	SUNHIT TWP
FAYETTE	WESTFIELD TWP			UNION TWP	WATERMAN TWP
FRANKLIN	CLINTON TWP		OSCEOLA	GILMAN TWP	OCHREYDAM TWP
GREENE	JEFFERSON TWP		PALO ALTO	HIGHLAND TWP	RUSH LAKE TWP
	THOMPSON TWP			WALNUT TWP	WEST BEND TWP
HAMILTON	WILLIAMS TWP		PLYMOUTH	PORTLAND TWP	REMSEN TWP
HARDIN	ETNA TWP		POCAHONTAS	CEDAR TWP	CLINTON TWP
HARRISON	BOYER TWP		RINGGOLD	ATHENS TWP	MOUNT AVE TWP
HOWARD	FOREST CITY TWP	LITTLE SIOUX TWP		WASHINGTON TWP	RICHLAND TWP
JONES	OXFORD TWP	VERNON SPRINGS TWP	SAC	LEYEY TWP	
KFOKUK	ADAMS TWP	LAFAYETTE TWP	SHELBY	CLAY TWP	
	PRAIRIE TWP	WARREN TWP	SILOUX	CAPEL TWP	EAST ORANGE TWP
	WASHINGTON TWP		UNION	NEW HOPE TWP	UNION TWP
KOSSUTH	BUFFALO TWP	IRVINGTON TWP	VAN BUREN	BONAPARTE TWP	JACKSON TWP
	LEDYARD TWP	LUVIERNE TWP	WAPELLO	RICHLAND TWP	
	PRAIRIE TWP		WEBSTER	GOWRIE TWP	
			WINNEBIEK	CANOE TWP	

LIST OF MEDICALLY UNDERSERVED AREAS

KANSAS

COUNTIES (CONTINUED)

COUNTY NAME

0001.00 0002.00 0005.00 0006.00 0007.00 0009.00

BLACK HAWK

0001.00 0002.00 0010.00

DUBUQUE

0020.00

LINN

0013.00 0014.00 0016.00 0024.00 0025.00 0029.00

POLK

0033.00

POTTAWATTAMIE

0215.00 0307.00 0308.00 0309.00 0313.00

SCOTT

0105.00

WOODBURY

0013.00 0015.00 0016.00 0031.00

WOODBURY

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WOODBURY

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

KANSAS

KANSAS

COUNTY NAME	HCD/CCD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME	HCD/CCD*	WITHIN COUNTY (CONTINUED)
LABETTE	CHETOPA CITY OSWEGO CITY	ELM GROVE TWP	SMITH	CEDAR TWP	OAK TWP
LEAVENWORTH	ALFANDRIA TWP EASTON TWP	DELAWARE TWP	BUTLER	0204.00	0206.00
LINCOLN	PLEASANT TWP		SEDGWICK	0004.00	0005.00
MCHERRISON	MARQUETTE TWP			0016.00	0017.00
MARION	FLORENCE CITY		SHAWNEE	0001.00	0002.00
MEADE	FOWLER TWP		WYANDOTTE	0403.00	0407.00
MIAMI	OSAGE TWP PAOLA CITY	OSAWATOMIE CITY		0411.02	0412.01
MITCHELL	GLEN ELDER TWP			0420.01	0420.02
MORTON	ROLLA TWP			0431.02	
NEOSHO	CHETOPA TWP				
NESS	NEVADA TWP				
MORTON	ALMEHA TWP				
OSBORNE	NATOMA TWP	ROSS TWP			
PHILLIPS	LOGAN TWP				
RENO	MIAMI TWP	SYLVIA TWP			
REPUBLIC	RICHLAND TWP	SCANDIA TWP			
RICE	FARMER TWP UNION TWP	STERLING CITY VICTORIA TWP			
RILEY	BALA TWP				
ROOF	STOCKTON TWP				
RUSSELL	FAIRVIEW TWP				
SALINE	SMOKY HILL TWP	SKOLAN TWP			

KENTUCKY

COUNTIES

ADAIR
ALLEN
BALLARD
BARREN
BATH
BELL
BRACKEN
BREATHITT
BRECKINRIDGE
BUTLER
CALDWELL
CARLISLE
CARROLL
CARTER
CASEY
CHRISTIAN
CLAY
CLINTON
CRITTENDEN
CUMBERLAND

LIST OF MEDICALLY UNDERSERVED AREAS

KENTUCKY

COUNTIES (CONTINUED)

COUNTY NAME

ONSLEY
PENDLETON
PERRY
PIKE
POWELL
FULASKI
ROBERTSON
ROCKCASTLE
RUSSELL
SCOTT
SHELBY
SPENCER
TODD
TRIGG
TRIMBLE
WASHINGTON
WAYNE
WEBSTER
WHITLEY
WOLFE

MCD/CDD* WITHIN COUNTY

JUNCTION CITY DIV PERRYVILLE DIV
LEBANON JUNCTION DIV SHEPHERDSTOWN SOUTHEAST
CFCILIA DIV SONORA DIV
SUMMIT DIV
BERRY EAST DIV MONTOMS GAP DIV
DANSON SPRINGS DIV
WILMORT DIV
MAGNOLIA-UPTON DIV
HAYS LICK DIV HAYSVILLE DIV
HANNESVILLE DIV SALONA DIV
STURGIS WEST DIV UNIONTOWN DIV

LIST OF MEDICALLY UNDERSERVED AREAS

KENTUCKY

COUNTIES (CONTINUED)

COUNTY NAME

EDMONSON
ELLIOTT
ESTILL
FLEMING
FLOYD
FULTON
GARRARD
GRAVES
GRAYSON
GRIFINUP
HANGCOCK
HARLAN
HART
HICKMAN
JACKSON
JOHNSON
KNOTT
KNOX
LAUREL
LEE
LESLIE
LITCHER
LEWIS
LINCOLN
LOGAN
LYON
MCCREARY
MCLEAN
MADISON
MAGOFFIN
MARION
MARSHALL
MARTIN
MEADY
MERRITT
MERCER
METCALFE
MONROE
MONTGOMERY
MORGAN
MULLENBERG
MYLSON
NICHOLAS
OHIO
OWEN

LIST OF MEDICALLY UNDERSERVED AREAS.

LIST OF MEDICALLY UNDERSERVED AREAS

KENTUCKY, 1

COUNTY NAME

WARREN

WOODFORD

BOYD

CAMBERFILL

PAYETTE

HENDRICKSON

JEFFERSON

KENTON

MCD/CCD* WITHIN COUNTY (CONTINUED)

SMITHS GROVE DIV

VERSAILLES NORTH DIV

CENSUS TRACTS WITHIN COUNTY

0302.00					
0501.00	0502.00				
0001.00					
0204.00					
0002.00	0006.00	0014.00	0018.00	0019.00	0020.00
0022.00	0023.00	0024.00	0025.00	0026.00	0027.00
0030.00	0032.00	0033.00	0034.00	0035.00	0049.00
0050.00	0051.00	0057.00	0059.00	0060.00	0061.00
0062.00	0078.00				
0601.00	0604.00	0605.00			

LOUISIANA

COUNTIES

ACADIA
 ALLEN
 ASCENSION
 ASSUMPTION
 AYOUILLES
 BEAUREGARD
 BERNVILLE
 CALDWELL
 CATAHOULA
 CLAIBORNE
 CONCORDIA
 DE SOTO
 EAST CARROLL
 EAST FELICIANA

COUNTY NAME

EVANGELINE

FRANKLIN

GRANT

IBERIA

IBERVILLE

JACKSON

JEFFERSON DAVIS

LASALLE

LINCOLN

LIVINGSTON

MADISON

MOREHOUSE

NATCHITOCHES

PLAQUEMINES

POINTE COUPEE

RAPIDS

RED RIVER

RICHLAND

SABINE

ST CHARLES

ST HELENA

ST JAMES

ST JOHN THE BAPTIST

ST LANDRY

ST MARTIN

ST MARY

TANGIPAHOA

TENSAS

TERREBONNE

UNION

VERMILION

VERNON

WASHINGTON

WEBSTER

WEST BATON ROUGE

WEST CARROLL

WEST FELICIANA

WINN

MCD/CCD* WITHIN COUNTY

WARD 1 COW ISLAND

WARD 6 HACKBERRY

CAMEROON

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

LOUISIANA

LOUISIANA

COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)
LAFORCHE	WARD 5 WARD 7	WARD 6 WARD 9	OUACHITA	0003.00 0006.00 0007.00 0008.00 0009.00 0011.00 0012.00 0013.00 0014.00 0015.00 0058.00 0055.00 0056.00 0057.00 0101.00 0104.00 0106.00
BOSSIER	0102.00 0103.00 0104.00 0105.00 0106.00 0107.00 0108.01 0108.02 0109.00 0110.00 0111.00 0112.00		ST BERNARD	0301.00 0303.00 0307.00
CADDO	0202.00 0203.00 0204.00 0206.00 0207.00 0208.00 0209.00 0210.00 0211.00 0213.00 0216.00 0217.00 0218.00 0219.00 0220.00 0233.00 0235.00 0236.00 0238.00 0240.00 0242.00 0246.00 0248.00 0249.00 0251.00		ST TAMMANY	0401.00 0402.00 0403.00 0405.00 0406.00 0407.00 0409.00 0412.00 0413.00
CALCASIEU	0001.00 0002.00 0003.00 0004.00 0005.00 0007.00 0008.00 0014.00 0015.00 0016.00 0020.00 0021.00 0023.00 0024.00 0027.00 0028.00 0029.00 0035.00 0036.00		MAINE	
EAST BATON ROU	0010.00 0013.00 0014.00 0016.00 0021.00 0022.00 0025.00 0027.00 0028.00 0030.00		COUNTYPS	
JFFERSON	0208.00 0209.00 0237.00 0246.00 0257.00 0259.00		SOMERSET	
LAFAYETTE	0001.00 0002.00 0003.00 0004.00 0007.00 0008.00 0009.00 0013.00 0020.00 0021.00		WALDO	
ORLEANS	0002.00 0003.00 0004.00 0006.01 0006.09 0007.01 0007.02 0009.01 0009.02 0009.03 0009.04 0012.00 0013.01 0014.01 0014.02 0015.00 0016.00 0017.03 0017.04 0017.05 0018.00 0019.00 0021.00 0024.02 0025.03 0026.00 0027.00 0028.00 0029.00 0031.00 0033.06 0034.00 0036.00 0037.02 0039.00 0040.00 0043.00 0044.00 0045.00 0046.00 0048.00 0049.00 0050.00 0054.00 0058.00 0059.00 0060.00 0064.00 0067.00 0068.00 0069.00 0070.00 0071.00 0072.00 0075.01 0077.00 0078.00 0079.00 0080.00 0081.00 0082.00 0084.00 0085.00 0086.00 0087.00 0088.00 0091.00 0092.00 0093.00 0094.00 0096.00 0097.00 0099.00 0100.00 0102.00 0105.00 0106.00 0107.00 0125.00 0129.00 0131.00		WASHINGTON	
			AROOSTOOK	
				CASHWELL PLANTATION CFARD ISLE TOWN ISLAND FALLS TOWN ST AGATHA TOWN WOODLAND TOWN UMORG TERR OF NORTH ARGOOS BROOKSVILLE TOWN CLINTON TOWN APPLTON TOWN BRISTOL TOWN DPPSDEN TOWN SOUTH BRISTOL TOWN BRADFORD TOWN GREENBUSH TOWN VIRN TOWN
				EAGLE LAKE TOWN HODGDON TOWN MONTICELLO TOWN WALLAGRASS PLANTATION UMORG TERR OF CONNOR DANARISCOLTA TOWN EDGECONB TOWN GARLAND TOWN KENDUSKEAG TOWN

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

COUNTY NAME

COUNTY NAME

PISCATAQUIS

BROWNVILLE TOWN

ANNE ARUNDEL

7028.00

MCD/CCD* WITHIN COUNTY (CONTINUED)

CENSUS TRACTS WITHIN COUNTY

ANDROSCOGGIN

0101.00 0201.00 0203.00

BALTIMORE CITY

8009.00 8026.00 8072.00

COMMERLAND

0006.00 0007.00

PRINCE GEORGES

0301.00 0302.00 0402.00

MARYLAND

COUNTIES

MASSACHUSETTS

CALVERT
CAROLINE
DORCHESTER
GARRETT
ST MARYS
SOMERSET
WORCESTER

WORCESTER

MCD/CCD* WITHIN COUNTY
ROYALSTON TOWN

ALLEGANY

DIST 2 OLDTOWN
DIST 31 MC COOLE

BRISTOL

6421.00 6509.00 6513.00

CHARLES

DIST 3 WANDJHOY
DIST 5 THOMPSONVILLE
DIST 10 HAREURY

ESSEX

2068.00 2501.00 2512.00

FENT

DIST 1 MASSEYS
DIST 5 EDESVILLE

HAMPSHIRE

8007.00 8008.00 8009.00

QUEEN ANNES

DIST 1 DIXON
DIST 6 RUTHSBURG

MIDDLESEX

3401.00 3110.00

WASHINGTON

DIST 8 ROHRSVILLE
DIST 19 KEEDESVILLE

PLYMOUTH

7093.00 7107.00 7109.00

WICOMICO

DIST 3 TYASKIN
DIST 12 NANTICONE

SUFFOLK

0005.00 0101.00 0103.00

CENSUS TRACTS WITHIN COUNTY

0501.00 0501.00 0501.00
0808.00 0808.00 0808.00
0909.00 0909.00 0909.00
1001.00 1001.00 1001.00
1205.00 1205.00 1205.00
1501.00 1501.00 1501.00
1602.00 1602.00 1602.00
1801.00 1801.00 1801.00
2101.00 2101.00 2101.00
2201.00 2201.00 2201.00
2502.04 2502.04 2502.04

CENSUS TRACTS WITHIN COUNTY

6518.00 6518.00 6518.00
2602.00 2602.00 2602.00
8011.02 8011.02 8011.02
8115.00 8115.00 8115.00
8116.00 8116.00 8116.00
8177.00 8177.00 8177.000607.00 0607.00 0607.00
0711.00 0711.00 0711.00
0808.00 0808.00 0808.00
0914.00 0914.00 0914.00
7316.00 7316.00 7316.00
7317.00 7317.00 7317.00

LIST OF MEDICALLY UNDERSERVED AREAS

MICHIGAN

FEDERAL REGISTER, VOL. 41, NO. 201—FRIDAY, OCTOBER 15, 1976

LIST OF MEDICALLY UNDERSERVED AREAS

MICHIGAN
1976

COUNTY NAME CENSUS TRACTS WITHIN COUNTY (CONTINUED)

INGHAM	0001.00	0002.00	0003.00	0004.00	0005.00	0006.00	0007.00	0008.00	0009.00	0010.00
JACKSON	0001.00	0002.00	0003.00	0004.00	0005.00	0006.00	0007.00	0008.00	0009.00	0010.00
KENT	0001.00	0002.00	0003.00	0004.00	0005.00	0006.00	0007.00	0008.00	0009.00	0010.00
MONROE	0001.00	0002.00	0003.00	0004.00	0005.00	0006.00	0007.00	0008.00	0009.00	0010.00
MUSKOGEE	0001.00	0002.00	0003.00	0004.00	0005.00	0006.00	0007.00	0008.00	0009.00	0010.00
SAGINAW	0001.00	0002.00	0003.00	0004.00	0005.00	0006.00	0007.00	0008.00	0009.00	0010.00
WAYNE	0001.00	0002.00	0003.00	0004.00	0005.00	0006.00	0007.00	0008.00	0009.00	0010.00
	0011.00	0012.00	0013.00	0014.00	0015.00	0016.00	0017.00	0018.00	0019.00	0020.00
	0021.00	0022.00	0023.00	0024.00	0025.00	0026.00	0027.00	0028.00	0029.00	0030.00
	0031.00	0032.00	0033.00	0034.00	0035.00	0036.00	0037.00	0038.00	0039.00	0040.00
	0041.00	0042.00	0043.00	0044.00	0045.00	0046.00	0047.00	0048.00	0049.00	0050.00
	0051.00	0052.00	0053.00	0054.00	0055.00	0056.00	0057.00	0058.00	0059.00	0060.00
	0061.00	0062.00	0063.00	0064.00	0065.00	0066.00	0067.00	0068.00	0069.00	0070.00
	0071.00	0072.00	0073.00	0074.00	0075.00	0076.00	0077.00	0078.00	0079.00	0080.00
	0081.00	0082.00	0083.00	0084.00	0085.00	0086.00	0087.00	0088.00	0089.00	0090.00
	0091.00	0092.00	0093.00	0094.00	0095.00	0096.00	0097.00	0098.00	0099.00	0100.00

MINNESOTA

COUNTIES

AITKIN
BETHTEN
CASS
CLAYBURN
HOUSTON

LIST OF MEDICALLY UNDERSERVED AREAS

MINNESOTA

COUNTY NAME COUNTIES (CONTINUED)

LAC QUI PARLE	CONCORD TWP	POSTER TWP
LAKE OF THE WOODS	HILTON TWP	
LINCOLN	WASIOJA TWP	
MARSHALL	CONCORD TWP	
MORRIS	HILTON TWP	
POPE	WASIOJA TWP	
RED LAKE	CONCORD TWP	
ROSEAU	HILTON TWP	
TODD	WASIOJA TWP	
TRAVERSE	CONCORD TWP	
WASECA	HILTON TWP	
WILKIN	WASIOJA TWP	
BECKER	DETROIT LAKES CITY	ERIE TWP
	WHITE EARTH TWP	
BENTON	ALBERTA TWP	GRAHAM TWP
	GRANITE LEDGE TWP	HAYDEN LAKE TWP
BIG STONE	CLINTON VILLAGE	GRACEVILLE VILLAGE
BROWN	CONCORD VILLAGE (PART)	LEAVENWORTH TWP
CARLTON	CARLTON VILLAGE	MOOSE LAKE VILLAGE
CHISAGO	LINDSTROM VILLAGE	RUSH CITY VILLAGE
COTTONWOOD	MOUNTAIN LAKE VILLAGE	WESTBROOK VILLAGE
CROW WING	CROSBY VILLAGE	
DODGE	CANISTEO TWP	CONCORD TWP
	HAYFIELD VILLAGE	HILTON TWP
	VERNON TWP	WASIOJA TWP
	WEST CONCORD VILLAGE	
PARIBAULT	BARBER TWP	

LIST OF MEDICALLY UNDERSERVED AREAS

MINNESOTA

COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)
FILLMORE	FILLMORE TWP LANESBORO VILLAGE PRESTON VILLAGE SPRING VALLEY TWP	HARMONY VILLAGE MABEL VILLAGE RUSHFORD CITY	MURRAY	PULDA VILLAGE	SLAYTON VILLAGE
GOODHUE	KENYON VILLAGE		NICOLLFT	OSHAWA TWP	
GRANT	HOFFMAN VILLAGE		NOBLES	ELLSWORTH VILLAGE	
HUBBARD	PARK RAPIDS VILLAGE		OTTER TAIL	BATTLE LAKE VILLAGE NEW YORK MILLS VILLAGE PELICAN RAPIDS VILLAGE	HENNING VILLAGE PARKERS PRAIRIE VILLAGE PERHAM VILLAGE
ITASCA	DEER RIVER VILLAGE UNORG TERR OF NORTHEAST I	TODD TWP UNORG TERR OF BOW STRING	PINE	WINCKLEY VILLAGE PINE CITY VILLAGE	KETTLE RIVER TWP ROYALTON TWP
JACKSON	HERON LAKE VILLAGE LAREFPLED VILLAGE	JACKSON CITY	PIPESTONE	EDGERTON VILLAGE	JASPER VILLAGE (PART)
KANABEC	BRUNSWICK TWP GRASS LAKE TWP	COMFORT TWP MORA VILLAGE	POLK	CROOKSTON TWP FERTILE VILLAGE MC INTOSH VILLAGE	ERSKINE VILLAGE FOSTON VILLAGE
KOOCHICHING	BIG FALLS VILLAGE	UNORG TERR OF SOUTH KOOCH	REDWOOD	LANBERTON VILLAGE WABASSO VILLAGE	MORGAN VILLAGE WALNUT GROVE VILLAGE
LYON	BALATON VILLAGE MINNEOTA VILLAGE	COTTONWOOD VILLAGE TRACY CITY	RENVILLE	BIRD ISLAND VILLAGE FAIRFAX VILLAGE HORTON VILLAGE SACRED HEART VILLAGE	BUFFALO LAKE VILLAGE RECTOR VILLAGE RENVILLE CITY
MCELD	BPOUNTON VILLAGE	SILVER LAKE VILLAGE	RICE	DEIN TWP	LONSDALE VILLAGE
MARTIN	SHERBURN VILLAGE TRUMAN VILLAGE	TRIMONT VILLAGE WELCONE VILLAGE	SHERBURN	PALMER TWP	ANLINGTON CITY GIBSON VILLAGE WASHINGTON LAKE TWP
NEEKE	FOREST CITY TWP		SIDLEY	ALFSDORF TWP GAYLORD CITY HENDERSON CITY WINTHROP CITY	BROCKWAY TWP FARMING TWP CITY TWP LAKE HENRY TWP MILLWOOD TWP
MILLE LACS	EAST SIDE TWP MILACA VILLAGE	ISLE VILLAGE OMAHA VILLAGE	STEARNS	AIDANY TWP BROOKFEN VILLAGE FREEPORT VILLAGE HOLDING TWP MELROSE TWP ZION TWP	
MORRISON	DELLEVUE TWP BUR TWP LITTLE FALLS CITY PIREZ TWP PIREZ CREEK TWP ROYALTON VILLAGE SWAN RIVER TWP	BUCHANAN TWP GRANITE TWP HORRILL TWP PIREZ VILLAGE RANDALL VILLAGE SCANDIA VALLEY TWP	SWIFT	APPLETON VILLAGE	
MOVER	ADAMS VILLAGE	GRAND MEADOW VILLAGE			

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

MINNESOTA

COUNTY NAME

MCD/CDD* WITHIN COUNTY (CONTINUED)

WABASHA
ELGIN VILLAGE
PLAINVIEW VILLAGE

LAKE CITY CITY
WABASHA CITY

WADENA
MEWAHCA VILLAGE

WATONWAN
BUTTERFIELD VILLAGE
RIVERDALE TWP

MADELIA VILLAGE
ST JAMES CITY

WINONA
NEW HARTFORD TWP

UTICA TWP

WRIGHT
FRENCH LAKE TWP

YELLOW MEDICINE

CLARKFIELD VILLAGE

CENSUS TRACTS WITHIN COUNTY

HEMNEN
0029.00 0033.00 0034.00 0042.00 0043.00 0044.00
0046.02 0047.00 0052.00 0053.00 0057.00 0058.00
0059.00 0060.00 0061.00 0069.00 0071.00

RAMSEY
0328.00 0329.00 0336.00 0337.00 0340.00 0342.00
0355.00

ST LOUIS

0016.00 0017.00 0019.00 0025.00 0122.00 0131.00

MISSISSIPPI

COUNTIES

ADAMS
ALCORN
AMITE
ATTALA
BENTON
BOLIVAR
CALHOUN
CARROLL
CHICKASAW
CHOCTAW
CLAIBORNE

COUNTY NAME

COUNTIES (CONTINUED)

CLARKE
CLAY
COAHOMA
COPIAH
COVINGTON
DE SOTO
FRANKLIN
GEORGE
GREENE
GRENADE
HANCOCK
HOLMES
HUMPHREYS
ISSAQUENA
ITAWAMBA
JASPER
JEFFERSON
JEFFERSON DAVIS
JONES
KEMPER
LAFAYETTE
LAMAR
LAUDERDALE
LAWRENCE
LEAKE
LEE
LEFLORE
LINCOLN
LOWNDES
MADISON
MARION
MARSHALL
MONROE
MONTGOMERY
NESEHORA
NEWTON
NOXUBEE
OKTIBBEHA
PANOLA
PEARL RIVER
PERRY
PIKE
PONTOTOC
PRENTISS
QUITMAN

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

MISSOURI

MISSISSIPPI

COUNTY NAME	COUNTIES (CONTINUED)	COUNTY NAME
SCOTT		BARRY
SHARKEY		BENTON
SIMPSON		BOLLINGER
SMITH		CARTER
STONE		CEDAR
SUNFLOWER		CHARITON
TALLAHATCHIE		CHRISTIAN
TATE		CRAWFORD
TIPPAH		DADE
TUNICA		DALLAS
UNION		DE KALB
WALTHALL		DOUGLAS
WARREN		DUNKLIN
WASHINGTON		GENTRY
WAYNE		GRUNDY
WEBSTER		HARRISON
WILKINSON		HICKORY
WINSTON		HOWARD
YALOBUSHA		HOWELL
YAZOO		IRON
		LAWRENCE
		MCDONALD
		MADISON
		MARIES
		MERCER
		MISSISSIPPI
		MOORE
		NEW MADRID
		NEUTON
		OREGON
		OZARK
		PERISCOT
		PULASKI
		PUTNAM
		RALEIGH
		RAY
		REYNOLDS
		RIPLEY
		ST CLAIR
		SALINE
		SCHUYLER
		SCOTLAND
		SHANNON
		SHIPLEY
		STODDARD

HCD/CCD* WITHIN COUNTY

DIST 3	DIST 5
FORREST	
JACKSON	
TISHOMINGO	

CENSUS TRACTS WITHIN COUNTY

HARRISON	0001.00	0002.00	0003.00	0004.00	0005.00	0007.00
	0018.00	0020.00	0023.00	0024.00	0026.00	0030.00
	0031.00					
HINDS	0005.00	0009.00	0010.00	0011.00	0012.00	0017.00
	0018.00	0019.00	0020.00	0026.00	0027.00	0028.00
	0029.00	0031.00	0032.00	0105.00	0106.00	0107.00
	0112.00	0113.00				
RANKIN	0201.00	0202.00	0203.00	0204.00	0206.00	0208.00
	0209.00	0210.00				

NOTICES

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF NPDIALLY UNDERSERVED AREAS

MISSOURI

MISSION

COUNTY NAME	COUNTIES (CONTINUED)	MCD/CDD* WITHIN COUNTY	COUNTY NAME	MCD/CDD* WITHIN COUNTY (CONTINUED)
SULLIVAN			HOLT	UNION TWP
TEXAS			JASPER	JASPER TWP
WASHINGTON				SABOIE TWP
WAINE			JOHNSON	MADISON TWP
WEBSTER			LACEDR	FRANKLIN TWP
WORTH				SPRING HOLLOW TWP
			LEWIS	LA BELLE TWP
ADAIR			LIAM	BENTON TWP
ANDREW				LOCUST CREEK TWP
				PARSON CREEK TWP
ANDRAIN			MACON	CALLAO TWP
BEARTON				LYDA TWP
BATES			MARION	MASON TWP
BUTLER			MONTGOMERY	DANVILLE TWP
			MODAWAY	ATCHISON TWP
CALDWELL				HOPKINS TWP
CALLAWAY				INDEPENDENCE TWP
				MONROE TWP
				UNION TWP
CANDEN			OSAGE	BENTON TWP
CARROLL			PFERRY	BOIS BROILE TWP
CLARK				ST MARYS TWP
COOPER			REBELS	ARLINGTON TWP
				SPRING CREEK TWP
DAVIES			POLK	JOHNSON TWP
DEWENT			ST FRANCOIS	IRON TWP
GASCONADE			SCOTT	MORLEY TWP
JENNEY			STONE	PIERCE TWP
				WASHINGTON TWP

LIST OF MEDICALLY UNDERSERVED AREAS

MISSOURI

COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME
VERNON	BACON TWP WASHINGTON TWP	DRYWOOD TWP	JUDITH BASIN LAKE
WRIGHT	HAPT TWP	MOUNTAIN GROVE TWP	MEAGHER MINERAL MUSSELSHELL PETROLEUM PHILLIPS PONDRA POWDER RIVER PRAIRIE ROOSEVELT ROSEFORD SILVER BOW SNYDER GRASS TREASURE VALLEY WYFATLAND
BOONE	0001.00 0005.00 0008.00		
BUCHANAN	0004.00 0009.00 0010.00 0011.00 0012.00 0013.00		
GREENE	0014.00 0015.00 0020.00		
JACKSON	0001.00 0005.00 0006.00		
	0011.00 0012.00 0013.00 0015.00 0016.00 0017.00		
	0024.00 0032.00 0037.00 0039.00 0041.00 0043.00		
JEFFERSON	0048.00 0049.00 0050.00 0073.00		
ST LOUIS	7072.00		
	2123.00 2128.00 2139.00 2140.00 2158.00 2161.00		
	2164.00 2165.00		
ST LOUIS CITY	1021.00 1061.00 1082.00 1094.00 1111.00 1113.00		
	1114.00 1115.00 1121.00 1124.00 1141.00 1156.00		
	1183.00 1184.00 1185.00 1191.00 1192.00 1193.00		
	1201.00 1203.00 1212.00 1213.00 1214.00 1221.00		
	1224.00 1251.00 1252.00 1253.00 1261.00		

RIG HORN
BLAINE
CHOUTEAU
FAYON
GLACIER
GOLDEN VALLEY
JEFFERSON

MONTANA

COUNTIES

CENSUS TRACTS WITHIN COUNTY
0006.00
0001.00 0003.00

NOTICES

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

NEBRASKA

NEBRASKA

COUNTY NAME
 ANTELOPE
 BANNER
 BLAINE
 BOONE
 BOYD
 BROWN
 BUTLER
 CEDAR
 CHERRY
 CLAY
 CUSTER
 DEUEL
 DIXON
 DUNDY
 FILLMORE
 FRONTIER
 GARDEN
 GARFIELD
 GOSPER
 GREELEY
 HARLAN
 HAYES
 HITCHCOCK
 HOLT
 KEA PAHA
 KIMBALL
 KNOX
 LOUP
 MCPHERSON
 MCKOLIS
 PAWNEE
 POLK
 RICHARDSON
 ROCK
 SALINE
 SHERMAN
 STOUT
 STANTON
 THURSTON
 VALLEY
 WEBSTER
 WHEELER

COUNTIES

COUNTY NAME

MCD/CCD* WITHIN COUNTY (CONTINUED)

BUFFALO
 BURT
 CASS
 CHASE
 COLFAX
 CUMING
 DODGE
 FRANKLIN
 GAGE
 HALL
 HOWARD
 JEFFERSON
 JOHNSON
 KEITH
 LINCOLN
 MADISON
 MERRICK
 MORRILL
 NANCE
 COLLINS TWP
 SHELTON TWP
 EVERETT TWP
 TEKAHAW CITY
 LIBERTY PREC
 WEEPING WATER CITY
 IMPERIAL PREC
 ADAMS PREC
 SCHUYLER CITY
 WISNER CITY
 HOOPER TWP
 WEBSTER TWP
 FRANKLIN CITY
 WYMORE TWP
 DONIPHAN TWP
 ST LIBORY PREC
 FAIRBURY CITY
 SPRING CREEK PREC
 TECUMSEH CITY
 PAXTON PREC
 EAST HINMAN PREC
 MADISON CITY
 TILDEN CITY (PART)
 CLARKSVILLE TWP
 LOUP TWP
 BRIDGEPORT CITY
 GFNOA TWP
 RAVENNA CITY
 OAKLAND CITY
 STOVE CREEK PREC
 WAUNETTA PREC
 LINCOLN PREC
 SCHIBNER CITY
 SOUTH LOUP TWP
 ST PAUL CITY
 PLEASANT PREC
 STERLING PREC
 NEWMAN GROVE CITY (PART)
 LONE TREE TWP
 CAMP CLARK PREC

MCD/CCD* WITHIN COUNTY

DORSEY PREC

FOX BUTTE

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

NEVADA

COUNTIES (CONTINUED)

COUNTY NAME

MCD/CCD* WITHIN COUNTY (CONTINUED)

COUNTY NAME

LION
NYE
STOREY

AUBURN CITY WASHINGTON PREC

WYANDOTA

MINERAL

NORTH SYRACUSE PREC

OTOE

CLARK

LIBERTY PREC

PERKINS

WASHOE

PIERCE CITY

PIERCE

HILLSBORO

ST BERNARD TWP

PLATTE

OCEAN

CHESTER TWP

SAUNDERS

ATLANTIC

WABOO CITY

SHERIDAN

CANDLER

RUSHVILLE CITY

THAYER

CAMDEN

BRUNING PREC

WAYNE

6005.00

HIGHLAND-ALEXANDRIA PREC

DAKOTA

0007.00

CHAPIN PREC

DOUGLAS

0009.00

OAK CREEK TWP

LANCASTER

0013.00

DAVENPORT PREC

SARPY

0015.00

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LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

NEW JERSEY

NEW MEXICO

COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)	COUNTY NAME
CUMBERLAND	0102.00 0103.00 0205.00 0401.00 0402.00	SAN JUAN
DESESEX	0002.00 0003.00 0013.00 0018.00 0026.00	SAN MIGUEL
	0028.00 0029.00 0031.00 0032.00 0034.00	SIERRA
	0039.00 0040.00 0048.02 0055.00 0056.00	SOCORRO
	0058.00 0060.00 0062.00 0063.00 0064.00	TAOS
	0066.00 0067.00 0082.00 0083.00 0084.00	TORRANCE
	0086.00 0088.00 0089.00 0090.00 0092.00	UNION
	0105.00 0111.00 0113.00 0119.00 0124.00	VALENCIA
	0154.00 0168.00 0170.00 0185.00	
HUDSON	0015.00 0016.00 0017.00 0020.00 0025.00	DE BACA
	0033.00 0034.00 0035.00 0036.00 0043.00	
	0050.00 0058.02 0109.00 0154.00 0155.00	DONA ANA
	0169.00 0189.00 0190.00 0191.00 0192.00	
	0194.00 0197.00	
PASSAIC	1759.00 1805.00 1816.01 1817.01 1817.02	LINCOLN
	1829.00	
SALAM	0213.00 0218.00	

NEW MEXICO

COUNTRIES

CHAVES
COLFAX
CURRY
EDDY
GUADALUPE
HARDING
HIDALGO
LEA
MCKINLEY
MORA
OTERO
QUAY
RIO ARriba
ROOSEVELT
SANDOVAL

FEDERAL REGISTER, VOL. 41, NO. 201—FRIDAY, OCTOBER 15, 1976

LIST OF MEDICALLY UNDERSERVED AREAS

NEW YORK

NEW YORK

COUNTY NAME	CD/CCD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)
CHENANGO	COVENTRY TOWN MC DONOUGH TOWN OXFORD TOWN SHIRAZ TOWN	GUILFORD TOWN OTSELIC TOWN PRESTON TOWN	BRONX	0017.00 0023.00 0025.00 0027.01 0027.02 0031.00 0033.00 0035.00 0035.00 0041.00 0043.00 0044.00 0047.00 0049.00 0052.00 0056.00 0057.00 0059.01 0059.02 0062.00 0065.00 0067.00 0069.00 0071.00 0073.00 0075.00 0077.00 0079.00 0083.00 0085.00 0087.00 0089.00 0094.00 0099.00 0115.01 0115.02 0119.00 0121.01 0121.02 0123.00 0125.00 0127.01 0127.02 0129.01 0129.02 0131.00 0133.00 0135.00 0137.00 0139.00 0141.00 0143.00 0145.00 0147.00 0149.00 0151.00 0153.00 0158.00 0155.00 0157.00 0161.00 0165.00 0169.00 0173.00 0175.00 0206.02 0177.00 0181.00 0183.00 0195.00 0197.00 0214.00 0208.00 0210.00 0211.00 0212.00 0213.01 0214.00 0216.02 0217.02 0219.00 0220.00 0223.00 0224.01 0224.02 0225.00 0227.02 0227.03 0228.00 0230.00 0233.01 0235.01 0235.02 0237.01 0239.00 0243.00 0251.00 0255.00 0261.00 0263.00 0265.00 0267.00 0281.00 0297.00 0301.00 0319.00 0330.00 0332.00 0336.00 0338.00 0340.00 0354.00 0359.00 0361.00 0363.00 0365.01 0365.02 0367.00 0369.01 0369.02 0371.00 0373.00 0375.01 0375.02 0375.03 0377.00 0379.00 0381.00 0385.00 0391.00 0393.00 0399.01 0399.02 0401.00 0403.01 0403.02 0406.00 0407.01 0407.02 0411.00 0413.00 0415.00 0419.00 0421.00 0423.00 0425.00 0425.01 0429.02 0431.00 0432.00 0449.02 0451.01
COLUMBIA	AUSTELLITZ TOWN			
CORTLAND	SOLOM TOWN			
DELAWARE	COLCHESTER TOWN TOMPKINS TOWN	MIDDLETOWN TOWN		
FULTON	OPPEMPTON TOWN			
GREENE	DURHAM TOWN LIVINGSTON TOWN VINDEAM TOWN	GREENVILLE TOWN PRATTSVILLE TOWN		
JEFFERSON	CAPE VINCENT TOWN		PROOME	0011.00 0012.00 0046.02 0065.02 0066.02
OTSEGO	PLAINFIELD TOWN		TRIP	0032.01 0032.02 0042.00 0121.00
ST LAWRENCE	HEPPOH TOWN ROSSIE TOWN	PITCAIRN TOWN WADDINGTON TOWN	HERKIMER	0106.00 0108.00 0110.01
SENeca	OVID TOWN			
STUBBEN	WAYNE TOWN	WOODHULL TOWN		
ALBANY				
	0011.00 0014.00 0024.00			

NOTICES

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)				COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)									
	0002.00	0020.00	0022.00	0023.00		0025.00	0027.00	0029.00	0030.00						
KINGS	0029.01	0033.00	0036.00	0039.00	NEW YORK	0027.00	0029.00	0030.01	0056.00	0062.00	0076.00	0112.02			
	0054.00	0055.00	0056.01	0056.02		0050.00	0053.00	0172.02	0174.02	0190.00	0239.00				
	0062.00	0064.00	0071.00	0076.00	NINGARA	0059.00	0084.00	0205.00	0211.00	0215.00	0216.00				
	0088.00	0092.00	0121.00	0123.00		0085.00	0128.01								
	0089.01	0129.02	0131.00	0133.00	ONEIDA	0127.00	0141.00	0203.00	0204.00	0206.00	0207.01	0210.00			
	0143.00	0151.00	0160.00	0161.00		0179.00	0179.00	0211.02	0213.01	0218.00					
	0181.00	0183.00	0185.01	0185.02		0191.00	0225.00	0031.00	0033.00	0040.00	0041.00	0042.00			
	0197.00	0203.00	0217.00	0223.00	ONONDAGA	0226.00	0241.00	0043.00	0053.00	0159.00					
	0227.00	0228.00	0229.00	0235.00		0257.00	0271.01	0938.00	0942.01						
	0243.00	0249.00	0251.00	0253.00	ORENS	0273.00	0285.02	0406.00	0407.00	0408.00					
	0259.01	0261.00	0263.00	0265.00		0293.00	0291.00	0470.01	0477.00						
	0275.00	0277.00	0279.00	0281.00	RENSSELAER	0307.00	0303.00	0210.02							
	0287.00	0289.00	0290.00	0291.00		0336.00	0348.02	0270.01							
	0294.00	0296.00	0299.00	0301.00	SCHENECTADY	0352.00	0360.02	0025.00							
	0309.00	0311.00	0326.00	0328.00		0361.00	0369.00								
	0340.00	0341.00	0342.00	0343.00	WESTCHESTER	0371.00	0389.00								
LIVINGSTON	0356.00	0357.00	0359.00	0360.01		0389.00	0403.00	AREA 1	0012.00**	0013.01	0013.02**	0014.01	0014.02**	0015.00**	
	0362.00	0363.00	0364.00	0366.00	ERIE	0415.00	0415.00	0025.01	0025.02**	0026.00**	0027.01	0031.00**			
	0373.00	0375.00	0379.00	0385.00		0433.00	0425.00								
	0391.00	0393.00	0397.00	0399.00	ERIE	0483.00	0509.00	AREA 2	0068.00**	0071.01**	0071.02**	0072.01**	0072.02**		
	0405.00	0409.00	0411.00	0413.00		0518.00	0518.00								
	0417.00	0419.00	0421.00	0423.00		0534.00	0534.00								
	0435.00	0436.00	0437.00	0453.00		0547.00	0547.00								
	0467.00	0493.00	0505.00	0507.00		0560.00	0560.00								
	0510.00	0511.00	0512.00	0513.00		0612.00	0612.00								
	0523.00	0527.00	0529.00	0531.00		0678.00	0678.00								
	0535.00	0537.00	0538.00	0539.00		0902.00	0902.00								
	0549.00	0550.00	0551.00	0552.00		0914.00	0914.00								
	0563.00	0579.00	0592.00	0610.01		1114.00	1114.00								
	0762.00	0774.00	0796.00	0798.00	ALEXANDER	1128.00	1128.00								
	0892.00	0894.00	0896.00	0898.00	ALLEGHANY	1150.00	1150.00								
	0904.00	0906.00	0908.00	0910.00	ANSON	1162.00	1162.00								
	0916.00	0918.00	0920.00	0912.00	ASHE	1214.00	1214.00								
	1118.00	1124.00	1126.00	0982.00	FEAUFORT										
	1134.00	1136.00	1138.00	1140.00	BERTIE										
	1152.00	1154.00	1156.00	1158.00	BLADEN										
	1164.00	1166.00	1168.00	1194.00	CALDWELL										
				0153.01	CANDEN										
					CARTERT										
					CASWELL										

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

State
NORTH CAROLINA

NORTH CAROLINA

COUNTY NAME
CHATHAM
CHEROKEE
CLAY
CLEVELAND
COLUMBUS
CRAVEN
CURRITUCK
DAVIDSON
DUPLIN
EDGECOMBE
FRANKLIN
GATES
GRAFVILL
GREENE
HALLFAX
HARNETT
HERTFORD
Hoke
HYDE
JACKSON
JOHNSTON
JONES
LENOIR
MCDOWELL
MACON
MADISON
MARTIN
MITCHELL
MONTGOMERY
MOORE
NASH
NORTHAMPTON
ONSLow
PAMLICO
PENDER
PERQUIMANS
PERSON
PITT
POLK
RICHMOND
ROBESON
ROCKINGHAM
RUTHERFORD
SANFORD
SCOTLAND

COUNTIES (CONTINUED)

COUNTY NAME
STOKES
SWAIN
TRANSYLVANIA
TYRRELL
VANCE
WARREN
WASHINGTON
WATAUGA
WAYNE
WILKES
WILSON
YANCEY

COUNTIES (CONTINUED)

MCD/CCD* WITHIN COUNTY

TWP 11 PLEASANT GROVE

ALABAMA

BEECH MOUNTAIN TWP

AVERY

UPPER CREEK TWP

BURKE

CROATAN TWP

DARE

CROWDER MOUNTAIN TWP

GASTON

CHEOAH TWP

GRAHAM

CHATEAU TWP

HAYWOOD

LEON DUFF TWP

HENDERSON

JONATHANS CREEK TWP

IBREDELL

HOOPERS CREEK TWP

LINCOLN

BETHANY TWP

PASQUOTANK

WPA HOPE TWP

POWAN

SHARPSBURG TWP

TOWNSHIP

TURNERSBURG TWP

TOWNSHIP

HOWARDS CREEK TWP

TOWNSHIP

SALEM TWP

TOWNSHIP

STEEPLE TWP

TOWNSHIP

FINE'S CREEK TWP
IVY HILL TWP

EAGLE HILLS TWP
OLIN TWP
STATESVILLE TWP
UNION GROVE TWP
MORTT BROOK TWP

LIST OF MEDICALLY UNDERSERVED AREAS

NORTH CAROLINA

COUNTY NAME	HCD/CDD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME		
STANLEY	HARRIS TWP		RENSON		
SURRY	BRYAN TWP	DOBSON TWP	BILLINGS		
	FRANKLIN TWP	HANSH TWP	CAVALIER		
	SHOALS TWP	SILOAM TWP	DUNN		
	SOUTH WESTFIELD TWP		FOSTER		
			GRANT		
			HETTINGER		
			KIDDER		
			LA MOURE		
			MCINTOSH		
			MCKENZIE		
			MERCER		
			MORTON		
			NELSON		
			OLIVER		
			RENVILLE		
			SARGENT		
			SHERIDAN		
			SIoux		
			SLOPE		
DURHAM	0009.00	0011.00	0012.01	0012.02	
FORSTH	0002.00	0003.01	0005.00	0005.01	0008.02
GUILFORD	0108.02	0110.00	0111.01	0112.00	0114.01
	0139.00	0141.00	0142.00	0146.00	
HECKLENBURG	0001.00	0003.00	0004.00	0005.00	0006.00
	0008.00	0023.00	0025.00	0026.00	0035.00
	0045.00	0049.00	0050.00	0052.00	0037.00
NEW HANOVER	0101.00	0111.00	0112.00	0113.00	0114.00
BRANDOLPH	0307.00				
UNION	0201.00	0202.00	0203.00	0204.00	0205.00
	0207.00	0208.00	0209.00	0210.00	0206.00
WAKE	0001.00	0002.00	0004.00	0006.00	0008.00
	0009.00	0011.00	0032.00	0033.00	0035.00
YADKIN	0501.00	0502.00	0503.00	0504.00	0505.00

COUNTY NAME	HCD/CDD*	WITHIN COUNTY
RENSON		
BILLINGS		
CAVALIER		
DUNN		
FOSTER		
GRANT		
HETTINGER		
KIDDER		
LA MOURE		
MCINTOSH		
MCKENZIE		
MERCER		
MORTON		
NELSON		
OLIVER		
RENVILLE		
SARGENT		
SHERIDAN		
SIoux		
SLOPE		
BARNES		
BOTTINEAU		
BOTTINEAU DIV		
TURTLE MOUNTAINS DIV		
POWERS LAKE DIV		
EAST EDDY DIV		
EDDY		
EMMONS		
STRASBURG DIV		
COOPERSTOWN DIV		
LOGAN		
MCHENRY		
DRAKE DIV		
TOWNER RURAL DIV		
GARRISON DIV		
MCLEAN		
MOUNTRAIL		
SOUTH MOUNTRAIL DIV		
STANLEY WEST DIV		
WEST NC LEAN DIV		
WEST EMMONS DIV		
EAST GRIGGS DIV		
GRANVILLE DIV		
NEW ROCKFORD DIV		
BOTTINEAU SOUTH DIV		

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

NORTH DAKOTA

OHIO

COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME	MCD/CCD*	WITHIN COUNTY
PENNINGTON	CAVALIER DIV WALHALLA DIV	CAVALIER SOUTH DIV	ATHENS	TRIMBLE TWP	WATERLOO TWP
RAMSON	LISBON DIV	SAND HILLS DIV	CARROLL	EAST TWP PERRY TWP	FOX TWP WASHINGTON TWP
RICHLAND	HANKINSON DIV NORTHEAST RICHLAND DIV	LIDGERWOOD DIV	CLINTON	WILSON TWP	CLARK TWP
ROLETTE	BELCOURT DIV	DUNSEITH RURAL DIV	COSHOCTON	ADAMS TWP CRANFORD TWP VIRGINIA TWP	FRANKLIN TWP WHITE EYES TWP
STARK	WEST STARK DIV		DARKE	JACKSON TWP	VAN BUREN TWP
STEPLE	HOPE DIV		CUMBERSEY	LIBERTY TWP MADISON TWP RICHLAND TWP WILLS TWP	LONDONDERRY TWP HILLWOOD TWP SPENCER TWP
STUTSHAM	KINGSAL DIV	STREETER-MEDINA DIV			
TONNER	CANDO DIV				
WALSH	PARK RIVER RURAL DIV		HARDIN	DUDLEY TWP LYNN TWP	HALE TWP ROUNDHEAD TWP
WILLIAMS	RAY DIV WILLISTON EAST DIV	WILLISTON DIV WILLISTON WEST DIV	HARRISON	HONROE TWP	JACKSON TWP MARION TWP
CASS	0007.00		HENRY	HONROE TWP	
			HIGHLAND	BRUSH CREEK TWP	
			HOCKING	LABEL TWP WAD TWP	
			HOLMES	PAINT TWP	
			LICKING	HOWLING GREEN TWP	
			HORROR	FRANKLIN TWP	WESTFIELD TWP
			HUSKINGUM	SALPH TWP	
			HODLE	MARION TWP	
			PAULDING	BENTON TWP PHEASANT TWP WASHINGTON TWP	CRANE TWP LATTY TWP
ADAMS					
BROWN					
JACKSON					
KEIGS					
HONROE					
MORGAN					
PIKE					
SCIOTO					
VINTON					

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

OHIO

OHIO

COUNTY NAME	HCD/CDD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)
PERRY	COAL TWP SALT LICK TWP	MONROE TWP	LAWRENCE	0501.00 0502.00 0503.00 0504.00 0505.00 0506.00 0507.00 0508.00 0509.00 0510.00 0511.00 0512.00 0513.00 0514.00
ROSS	COLERIAN TWP FRANKLIN TWP PAINT TWP	DEERFIELD TWP HARRISON TWP PAXTON TWP	LORAIN	0223.00 0231.00 0603.00 0710.00
SHELBY	CYNTHIAN TWP WASHINGTON TWP	TURTLE CREEK TWP	LUCAS	0023.00 0027.00 0028.00 0034.00 0037.00 0038.00 8008.00 8019.00 8035.00 8036.00 8037.00 8038.00 0018.00 0024.00 0030.00 0038.00 0040.00 0053.00 0065.00
WASHINGTON	AURELIUS TWP INDEPENDENCE TWP	FAIRFIELD TWP	MONTGOMERY	0301.00 0302.00 0304.00 0305.00 0307.00 0308.00 0001.00 0002.00
ALLEN	0125.00 0128.00 0135.00		POTOMAC	7001.00 7016.00 7017.00 7019.00 7023.00 7104.00 7138.00
BELMONT	0121.00		RICHLAND	5013.01 5015.00
BUTLER	0003.00 0007.01 0128.00 0129.00 0140.00		SUMMIT	9205.00
CLARK	0001.00 0002.00 0003.00 0021.00		TRUMBULL	0318.00
CLERMONT	0416.00 0418.00		WARREN	0217.00
CUYAHOGA	1033.00 1037.00 1043.00 1079.00 1087.00 1088.00 1089.00 1093.00 1098.00 1121.00 1123.00 1124.00 1125.00 1126.00 1127.00 1128.00 1131.00 1133.00 1134.00 1135.00 1136.00 1137.00 1138.00 1141.00 1142.00 1143.00 1147.00 1148.00 1161.00 1186.00 1187.00 1189.00 1192.00 1195.00		WOOD	
FRANKLIN	0011.20 0013.00 0017.00 0018.10 0028.00 0029.00 0030.00 0035.00 0036.00 0038.00 0039.00 0040.00 0041.00 0044.00 0053.00 0074.10		ADAIR	
GREENE	2406.00		ALFALFA	
HAMILTON	0003.01 0003.02 0004.00 0006.00 0007.00 0008.00 0009.00 0010.00 0011.00 0015.00 0016.00 0017.00 0018.00 0019.00 0021.00 0023.00 0037.00 0077.00 0080.00 0086.01 0086.02		ATOKA	
JEFFERSON	0001.00 0002.00 0003.00 0009.00		BECKHAM	
			BLAINE	
			BRYAN	
			CADDO	
			CHESTER	
			CHOCTAW	

OKLAHOMA

COUNTIES

LIST OF MEDICALLY UNDERSERVED AREAS

OKLAHOMA

COUNTY NAME
 COAL
 COTTON
 DELAWARE
 DEWEY
 ELLIS
 GARVIN
 GRANT
 GREER
 HARMON
 HASSELL
 HUGHES
 JACKSON
 JEFFERSON
 JOHNSTON
 KIOVA
 LATIMER
 LOGAN
 MCCLAIN
 MCCURTAIN
 MARSHALL
 MUSKOGEE
 NOBLE
 OKFUSKIE
 OKMULGEE
 OTTAWA
 PAMPER
 POTTER
 PUSHMATAHA
 ROGER HILLS
 SEMINOLE
 TILLMAN
 WASHITA
 WOODS

COUNTIES (CONTINUED)

NCD/CCD* WITHIN COUNTY

CAMPBELL
 LINCOLN
 MAYES
 MURRAY
 COWINGTON DIV
 PRAGUE DIV
 EAST MAYES DIV
 EAST MURRAY DIV

LIST OF MEDICALLY UNDERSERVED AREAS

OKLAHOMA

COUNTY NAME

NCD/CCD* WITHIN COUNTY (CONTINUED)

NOWATA
 PAYNE
 PITTSBURG
 PONTOTOC
 ROGERS
 STEPHENS
 WAGONER
 CANADIAN
 CLEVELAND
 COMANCHE
 CREEK
 LE FLORE
 OKLAHOMA
 SPOONSHAN
 TULSA
 OSAGE

NOWATA DIV
 YALE DIV
 QUINTON DIV
 NORTHEAST PONTOTOC DIV
 SOUTHWEST PONTOTOC DIV
 CHELSEA DIV
 HARLOW DIV
 SOUTH WAGONER DIV
 WAGONER DIV

CENSUS TRACTS WITHIN COUNTY

3001.00	3004.00				
2001.00	2002.00	2026.00			
0002.00	0008.00	0010.00	0011.00	0012.00	0013.00
0014.00	0015.00	0016.00	0017.00	0018.00	0019.00
0021.00	0022.00	0023.00			
0202.00	0203.00	0208.00	0210.00	0211.00	
0401.00	0402.00	0403.00	0404.00	0405.00	0406.00
0407.00					
1004.00	1006.00	1011.00	1012.00	1014.00	1016.00
1017.00	1018.00	1019.00	1020.00	1021.00	1023.00
1024.00	1025.00	1026.00	1027.00	1028.00	1029.00
1030.00	1032.00	1033.00	1035.00	1037.00	1038.00
1039.00	1040.00	1041.00	1046.00	1047.00	1057.00
1058.00	1088.03	1088.04			
0301.00	0302.00	0303.00	0304.00		
0002.00	0006.00	0010.00	0011.00	0012.00	0022.00
0025.00	0046.00				
AREA 1	0101.00	0102.00	0103.00	0104.00	0105.00
	0107.00	0108.00			0106.00

GROUPS OF CENSUS TRACTS

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

OREGON

COUNTY NAME
BAKER
GRANT
SHERMAN

COUNTIES

MCD/CCD* WITHIN COUNTY

SEASIDE DIV SVENSEN DIV

VERNONIA DIV

AGNESS DIVISION

DREWSEY DIV

LANGFELL DIV

CENSUS TRACTS WITHIN COUNTY

CLACKAMAS

0212.00

LAKE

0038.00 0040.00

MARION

0001.00

MULTNOMAH

0008.00 0009.00 0051.00 0052.00 0053.00 0054.00

POLK

0051.00

WASHINGTON

0334.00

PENNSYLVANIA

COUNTIES

CAMERON
CLEARFIELD
PAYETTE
FULTON

FEDERAL REGISTER, VOL. 41, NO. 201—FRIDAY, OCTOBER 15, 1976

PENNSYLVANIA

COUNTY NAME

GREENE
SNYDER
SULLIVAN
WAYNE

COUNTIES (CONTINUED)

MCD/CCD* WITHIN COUNTY

ARMSTRONG

APOLLO BOROUGH

CADOGAN TWP

DAYTON BOROUGH

KITTAUNING TWP

MADISON TWP

PARKER CITY CITY

RAIFURN TWP

SUGARCREEK TWP

WEST FRANKLIN TWP

BLOOMFIELD TWP

COLERAIN TWP

KING TWP

MONROE TWP

WEST ST CLAIR TWP

ROME TWP

MARS BOROUGH

HILLHEIM BOROUGH

STATE COLLEGE BOROUGH

PERRY TWP

GREPHE TWP

BENTON BOROUGH

CONINGHAM TWP

NORTH SHEWANGO TWP

QUINCY TWP

BRADY TWP

WOOD TWP

CROMWELL TWP

CROMWELL TWP

CROMWELL TWP

CROMWELL TWP

CROMWELL TWP

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LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

PENNSYLVANIA

PENNSYLVANIA

COUNTY NAME	CD/CCD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME	CENSUS TRACTS WITHIN COUNTY			
INDIANA			ALLEGHENY				
	BANKS TWP	CANOE TWP		0101.00	0102.00	0301.00	0303.00
	GRANT TWP	MONTGOMERY TWP		0404.00	0501.00	0502.00	0503.00
	NORTH HANONING TWP	WEST HANONING TWP		0508.00	0509.00	0702.00	0704.00
JEFFERSON	BEAVER TWP	BIG RUN BOROUGH		0801.00	0803.00	0807.00	0808.00
	BEAVERVILLE BOROUGH	ELDERD TWP		1205.00	1206.00	1207.00	1304.00
	HENDERSON TWP	HC CALHOUN TWP		1504.00	1601.00	1604.00	1605.00
	PINECREK TWP	PUNXSUTAWNEY BOROUGH		2105.00	2201.00	2202.00	2203.00
	KINGGOLD TWP	SUMMERVILLE BOROUGH		2503.00	2609.00	4831.00	4501.00
	UNION TWP			4703.00	4831.00	4832.00	4865.00
LYCOMING	COGAN HOUSE TWP	JORDAN TWP		5101.00	5124.00	5133.00	5134.00
	LEWIS TWP	MC INTYRE TWP		5503.00	5504.00	5505.00	5508.00
	MORELAND TWP	PICTURE ROCKS BOROUGH	BEAVER	5607.00			
	ARMIT TWP	LIBERTY TWP	BERKS	6012.00	6013.00	6015.00	6021.00
	NORMICH TWP			6041.00	6045.00		
MCKEAN	LAKE TWP		BLAIR	0001.00	0019.00	0024.00	
HERCULE	SHAMOKIN CITY		CAMBERIA	0001.00	0015.00	0019.00	
	GEFFRE TWP	LACKAWAXEN TWP	DAUPHIN	0001.00	0002.00	0010.00	
	MILFORD BOROUGH		YEAH	0201.00	0202.00		
POTTER	HARRISON TWP		LACKAWANNA	0001.00	0003.00	0009.00	0012.00
SCHUYLKILL	FRANKLIN TWP	GILBERTON BOROUGH	LANCASTER	0015.00	0018.00	0019.00	0122.00
	MAHANT TWP	SHEPARDSON BOROUGH	LUZERN	0001.00	0002.00		
TIoga	CHARLESTON TWP	CHATHAM TWP	NORTHAMPTON	0001.00	0009.00	0174.00	0175.00
	DEERFIELD TWP	MORRIS TWP		0001.00	0009.00		
	SULLIVAN TWP	TIoga TWP		0144.00			
	WESTFIELD BOROUGH						
UNION	BARTLEY TWP	LEWISBURG BOROUGH					
	LINCOLN TWP						
VEFANGO	CLINTON TWP	PINEGROVE TWP					
	PLUM TWP						
WYOMING	NICHOLSON TWP						

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

SOUTH CAROLINA

PENNSYLVANIA

COUNTIES

COUNTY NAME

CENSUS TRACTS WITHIN COUNTY (CONTINUED)

COUNTY NAME

PHILADELPHIA

0002.00 0004.00 0007.00 0008.00 0009.00 0013.00
 0014.00 0015.00 0018.00 0019.00 0020.00 0021.00
 0022.00 0025.00 0031.00 0036.00 0046.00 0069.00
 0076.00 0077.00 0078.00 0087.00 0088.00 0089.00
 0091.00 0092.00 0093.00 0094.00 0095.00 0105.00
 0106.00 0107.00 0108.00 0109.00 0110.00 0121.00
 0122.00 0125.00 0126.00 0127.00 0129.00 0130.00
 0132.00 0133.00 0134.00 0135.00 0138.00 0139.00
 0140.00 0141.00 0144.00 0145.00 0147.00 0148.00
 0149.00 0151.00 0152.00 0153.00 0154.00 0155.00
 0156.00 0157.00 0162.00 0163.00 0164.00 0165.00
 0166.00 0167.00 0168.00 0174.00 0200.00 0206.00
 0207.00 0208.00 0228.00 0232.00 0238.00 0239.00
 0240.00 0241.00 0246.00 0282.00 0283.00 0301.00
 0307.00

SOMERSET

0211.00 0214.00 0215.00 0216.00 0217.00 0218.00

WASHINGTON

7210.00 7512.00 7537.00 7541.00 7543.00 7544.00
 7546.00 7751.00 7753.00 7831.00 7921.00 7957.00

WESTMORLAND

8001.00 8007.01 8016.00 8041.00

YORK

0001.00

RHODE ISLAND

CENSUS TRACTS WITHIN COUNTY

0305.00 0307.00

0026.00 0027.00 0036.00 0172.00 0180.00

BRISTOL

PROVIDENCE

GROUPS OF CENSUS TRACTS

AREA 1 0004.00 0005.00 0006.00 0007.00**
 AREA 2 0003.00** 0008.00** 0009.00** 0011.00 0012.00**
 AREA 3 0149.00 0152.00** 0160.00**

MCD/CCD* WITHIN COUNTY

RELTOW EAST DIV
 STARR DIV
 TFOY DIV
 LONG CREEK DIV

ANDERSON

GREENWOOD

OCONEE

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

SOUTH CAROLINA

SOUTH DAKOTA

COUNTY NAME
SPARTANBURG

MCD/CCD* WITHIN COUNTY (CONTINUED)

CHESNEY DIV FINGERSVILLE DIV
GRANLING DIV LANDRUM DIV
SPARTANBURG DIV WOODS CHAPEL DIV

CENSUS TRACTS WITHIN COUNTY

AIKEN 0201.00 0202.00 0203.00 0204.00 0205.00 0209.00
0210.00 0211.00 0214.00 0216.00 0217.00 0218.00
0219.00 0220.00

BERKELEY 0201.00 0202.00 0203.00 0204.00 0205.00 0206.00
0207.00 0208.00

CHARLESTON 0001.00 0004.00 0005.00 0006.00 0007.00 0008.00
0009.00 0010.00 0011.00 0013.00 0014.00 0021.02
0022.00 0023.00 0024.00 0025.00 0037.00 0044.00
0045.00 0046.01 0050.00

GREENVILLE 0004.00 0005.00 0006.00 0007.00 0008.00 0009.00
0010.00

LEXINGTON 0207.00 0208.00 0209.00 0211.02 0212.00 0213.00
0214.00

PICKENS 0101.00 0102.00 0103.00 0105.00 0106.00 0108.00
0112.00

RICHLAND 0005.00 0007.00 0009.00 0010.00 0013.00 0014.00
0015.00 0016.00 0019.00 0020.01 0021.00 0028.00
0105.02 0107.01 0107.02 0117.01 0117.02 0118.00
0119.02 0120.00

SOUTH DAKOTA

COUNTIES

AURORA
BENNETT
BOON HORNE
BRULE

MCD/CCD* WITHIN COUNTY
ELKTON CITY VOLGA CITY

BROOKINGS

COUNTIES (CONTINUED)

BUFFALO
CAMPELL
CHARLES MIX
CLARK
CORSON
CUSTER
DAY

DEUEL
DEWEY
DOUGLAS
FALL RIVER
FAULK
GREGORY

HAMLIN
HAND
HANSON
HARDING
HIDE
JACKSON

JERRALD
JONES
KCCOOK
MCIPHERSON
MARSHALL
MEADE
NELLETTE
MINER
MOODY

ROBERTS
SANDORN
SHANNON
STANLEY
SULLY
TODD
TRIPP

UNION
WALWORTH
WASHARADUGH
ZIPBACH

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

SOUTH DAKOTA

COUNTY NAME

BROWN

BUTTE

EDMONDS

GRANT

KINGSBURY

LAWRENCE

LINCOLN

LYMAN

TURNER

MINNEAPOLIS

MCD/CDD* WITHIN COUNTY (CONTINUED)

GROTON CITY

UNORG TERR OF EAST BUTTE

BOWDLE CITY

MILBANK CITY

ARLINGTON CITY

DEADWOOD CITY

UNORG TERR OF SOUTH LAURE

CANTON CITY

UNORG TERR OF NORTHEAST L

CENTERVILLE CITY

PARKER CITY

SPEARFISH CITY

LENNOX CITY

HARTON CITY

VIBORG CITY

CENSUS TRACTS WITHIN COUNTY

0007.00

TENNESSEE

COUNTIES

BEDFORD

BENTON

BLISS

BRADLEY

CAMPBELL

CANNON

CARROLL

CARTER

CHEATHAM

CHESTER

CLATSOP

CLAY

TENNESSEE

COUNTIES (CONTINUED)

COCK

COOPER

CROCKETT

CUMBERLAND

DECATUR

DE KALB

DICKSON

PAYETTE

FRANKLIN

FRANKLIN

GIBSON

GILES

GRAINGER

GRUNDY

HANCOCK

HARDMAN

HARDIN

HAWKINS

HAYWOOD

HICKMAN

HENDERSON

HOUSTON

JACKSON

JOHNSON

LAKE

LAUDERDALE

LAWRENCE

LEWIS

LINCOLN

LOUDON

MCINN

MCNARY

MACON

MARION

MARSHALL

MEIGS

MONROE

MONTGOMERY

MOORE

MORGAN

ORION

OVERTON

PERRY

PICKETT

BREA

TEXAS

COUNTIES (CONTINUED)

COUNTY NAME

COUNTIES

COUNTY NAME

DONLEY
DUVAL
EASTLAND
EDWARDS
ERATH
FALLS
FANNIN
FAYETTE
FISHER
FLOYD
FOARD
FRANKLIN
PRESTON
FRIO
GAINES
GLASSCOCK
GOLIAD
GONZALES
GRIMES
HALE
HALL
HAMILTON
HARDEN
HARDIN
HARRISON
HARTLEY
HASKELL
HAYS
HENDERSON
HILL
HOCKLEY
HOPKINS
HOUSTON
HUNSPETH
HUNT
HUTCHINSON
IRION
JACK
JACKSON
JEFF DAVIS
JIM HOGG
JIM WELLS
KARNES
KENDALL
KENNEDY

ANDERSON
ARMSTRONG
ATASCOSA
AUSTIN
BAILEY
BANDERA
BASTROP
BAYLOR
BEE
BLANCO
BORDEN
BOSQUE
BREWSTER
BRISCOE
BROOKS
BROWN
BURLINSON
CALDWELL
CALHOUN
CALLAHAN
CAMP
CASTRO
CHAMBERS
CHEROKEE
CHILDRESS
COCHRAN
COKE
COLEMAN
COLLINGSWORTH
COLORADO
CONACHE
CONCHO
COOK
CORPUS
COTTE
CRANE
CROSBY
CULBERTSON
DALLAM
DANFORTH
DEAN SMITH
DELTA
DE WITT
DICKENS
DIMIT

LIST OF MEDICALLY UNDERSERVED AREAS

TEXAS
COUNTIES (CONTINUED)

COUNTY NAME
 KENT
 KERR
 KINKE
 KINNEY
 KLEBERG
 LAMAR
 LAMB
 LAMPASAS
 LA SALLE
 LAVACA
 LEB
 LEON
 LINCOLN
 LIVE OAK
 LLANO
 LIVING
 LYN
 MCCULLOCH
 MCULLLEN
 MADISON
 MARION
 MASON
 MATAGORDA
 MAVERICK
 MEDINA
 MENARD
 MILAM
 MILLS
 MITCHELL
 MONTAGUE
 MOTLEY
 NAVARRO
 NEITON
 NOLAN
 OCHILTREE
 OLDHAM
 PANOLA
 PARKER
 PECOS
 POLK
 RAINES
 RED RIVER
 REYES
 REUGIO
 RODRIGUEZ

LIST OF MEDICALLY UNDERSERVED AREAS

TEXAS
COUNTIES (CONTINUED)

COUNTY NAME
 RUNNELS
 RUSK
 SABINE
 SAN AUGUSTINE
 SAN JACINTO
 SAN SARA
 SCHLICKER
 SHACKELFORD
 SHELBY
 STARR
 STEPHENS
 STONEMAN
 SUTTON
 SWISHER
 TERRELL
 TERRY
 THROCKMORTON
 TRINITY
 TYLER
 UVALDE
 UPSHUR
 VAL VERDE
 VAN ZANDT
 WALKER
 WALLER
 WARD
 WASHINGTON
 WHARTON
 WILBARGER
 WILLACY
 WILLIAMSON
 WILSON
 WOOD
 ZAPATA
 ZAVALA

RCD/CCD* WITHIN COUNTY
 HUNTINGTON DIV ZAVALLA DIV
 HOLLAND DIV
 BERTH DIV BRIGGS DIV

ANGELINA
 DALL
 BURNET

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

TEXAS

TEXAS

COUNTY NAME	HCD/CCD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME
CASS	BIVINS-RC LEOD DIV	LINDEN DIV	BEXAR
CLAY	MARIETTA-DOUGLASSVILLE DI		
GRAY	BELLVIEW-JOY DIV		
KNOX	MC LEAN DIV		
LIPSOMB	GOREE DIV	HUNDAY DIV	
MARTIN	FOLLETT DIV		
MORRIS	STANTON DIV		BOWIE
NACOGDOCHES	NAPLES DIV		BRAZORIA
PALO PINTO	CHIRENO-MARTINSVILLE DIV	CUSHING-DOUGLASS DIV	BRAZOS
PARKER	PALO PINTO-SANTO DIV	STRAWN-GORDON DIV	CAMPBON
REAL	WEATHERFORD DIV		
TITUS	CAMP WOOD DIV		
WISE	COOKVILLE DIV	TALCO DIV	COLLIN
YOAKUM	WINFIELD DIV		DALLAS
YOUNG	ALYRD DIV	DECATUR DIV	
	PLAINS DIV		
	JEAN-LOVING DIV	MERCASLE DIV	

CENSUS TRACTS WITHIN COUNTY

0202.00 0203.00

ABCKER

CENSUS TRACTS WITHIN COUNTY (CONTINUED)

1101.00	1102.00	1103.00	1104.00	1105.00	1106.00
1107.00	1108.00	1109.00	1110.00	1203.00	1301.00
1130.00	1303.00	1304.00	1305.00	1306.00	1307.00
1311.00	1314.00	1401.00	1503.00	1404.00	1405.00
1406.00	1418.00	1501.00	1504.00	1505.00	1507.00
1508.00	1510.00	1518.00	1519.00	1601.00	1605.00
1606.00	1609.00	1610.00	1611.00	1612.00	1619.00
1620.00	1701.00	1702.00	1703.00	1704.00	1707.00
1708.00	1709.00	1710.00	1711.00	1712.00	1715.00
1716.00	1901.00	1902.00	1903.00	1907.00	
0102.00	0103.00	0105.00	0106.00		
0608.00	0614.00	0616.00	0617.00	0621.00	
0002.00	0004.00	0005.00	0012.00	0014.00	0015.00
0101.00	0102.00	0103.00	0104.00	0105.00	0106.00
0107.00	0109.00	0110.00	0111.00	0114.00	0115.00
0116.00	0117.00	0118.00	0119.00	0120.00	0121.00
0122.00	0123.00	0124.00	0125.00	0126.00	0127.00
0128.00	0132.00	0133.00	0134.00	0136.00	0137.00
0138.00	0139.00	0140.00	0141.00		
0301.00	0304.00	0307.00	0309.00	0311.00	0312.00
0002.01	0003.00	0011.01	0011.02	0012.00	0016.00
0017.02	0019.00	0022.01	0022.02	0023.00	0024.00
0025.00	0027.01	0028.00	0029.00	0030.00	0033.00
0036.00	0037.00	0039.02	0041.00	0050.00	0101.00
0102.00	0103.00	0104.00	0105.00	0114.02	0115.00

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

TEXAS

TEXAS

COUNTY NAME

COUNTY NAME

CENSUS TRACTS WITHIN COUNTY (CONTINUED)

CENSUS TRACTS WITHIN COUNTY (CONTINUED)

PORT BEND

MCLENNAN

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LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

TEXAS -

COUNTY NAME

CENSUS TRACTS WITHIN COUNTY (CONTINUED)

COUNTIES (CONTINUED)

NICHITA

0101.00
0102.00
0107.00
0137.000102.00 0103.00 0104.00 0105.00 0106.00
0108.00 0110.00 0111.00 0112.00 0116.00COUNTY NAME
GRAND ISLE
ORLEANS

UTAH

COUNTIES

DAGGETT
EMERY
GARFIELD
SAN JUAN
UINTAH
WAYNE

MCD/CCD* WITHIN COUNTY

PROSBURG TOWN
TUNBRIDGE TOWN

VIRGINIA

COUNTIES

ACCOMACK

AMELIA
APPOMATTOX

MCD/CCD* WITHIN COUNTY

POTTERPRISE DIV

WASHINGTON

CENSUS TRACTS WITHIN COUNTY

0256.00

DAVIS

SALT LAKE

0008.00
0025.00

0019.00 0021.00 0022.00 0023.00 0024.00

UTAH

0016.00

WYOMING

0011.00

VERMONT

COUNTIES

ESSEX

ACCOMACK
AMELIA
APPOMATTOX
BLAND
BOTHFOUNT
BRUNSWICK
BUCHANAN
BUCKINGHAM
CAROLINE
CARROLL
CHARLOTTE
CHARLES CITY
CLARKE
CRAIG
CULPEPPER
CURBERLAND
DICKERSON
ESSEX
FAUQUIER
FLOYD
FLUVANNA
FRANKLIN
GILES
GOOCHLAND
GRAYSON
GREENE
GREENSVILLE

LIST OF MEDICALLY UNDERSERVED AREAS

VIRGINIA

COUNTIES (CONTINUED)

COUNTY NAME
 HALIFAX
 ISLE OF WIGHT
 JAMES CITY
 KING AND QUEEN
 KING GEORGE
 KING WILLIAM
 LEE
 LOUISA
 LUNEBURG
 MADISON
 MATHES
 MECKLENBURG
 MIDDLESEX
 NELSON
 NEW KENT
 NORTHAMPTON
 NORTHUMBERLAND
 NOTTOWAY
 ORANGE
 PAGE
 PATRICK
 PETERSBURG
 POWHATAN
 PRINCE EDWARD
 RAPPAHANNOCK
 RICHMOND
 RUSSELL
 SCOTT
 SMITH
 SOUTHAMPTON
 STAFFORD
 SURREY
 SUSSEX
 TAZEWELL
 WASHINGTON
 WESTMORELAND
 WYTHE
 PRINCE GEORGE
 DANVILLE CITY
 PHOENIX CITY
 FRANKLIN CITY
 GALAX CITY
 SOUTH BOSTON CITY
 SUFFOLK CITY

COUNTY NAME

HIGHLAND

POLASKI

ROCKBRIDGE

SPOTSVILANIA

WISE

MCD/CCD* WITHIN COUNTY (CONTINUED)

BLUE GRASS DIST

DRAPER DIST

BUFFALO DIST

LIVINGSTON DIST

GLADEVILLE DIST

STONEWALL DIST

KERRS CREEK DIST

LIPPS DIST

CENSUS TRACTS WITHIN COUNTY

COUNTY NAME	MCD/CCD*	WITHIN COUNTY	STONEWALL DIST	KERRS CREEK DIST	LIPPS DIST
AMHERST	0101.00	0102.00	0103.00	0104.00	0105.00
CHESTERFIELD	1010.00				
LOUDOUN	6004.00				
YORK	0504.00	0505.00	0508.00		
CHESTERFAKE CIT	0200.01	0200.02	0200.03	0201.00	0202.00
	0204.00	0205.02	0206.00	0207.00	0208.01
	0209.01	0209.02	0210.01	0210.02	0211.00
	0213.01	0213.02	0214.01	0214.02	0214.03
	0215.01	0215.02	0216.00		
HAMPTON CITY	0106.00	0109.00	0113.00	0114.00	0117.00
LYNCHBURG CITY	0005.00	0006.00			
NEWPORT NEWS C	0302.00	0308.00	0306.00		
MORFOLK CITY	0009.00	0025.00	0026.00	0027.00	0028.00
	0034.00	0035.01	0035.02	0036.00	0037.00
	0040.01	0040.02	0041.00	0042.00	0043.00
	0046.00	0047.00	0048.00	0049.00	0050.00
	0053.00	0055.02			
PORTSMOUTH CIT	0102.00	0104.00	0106.00	0107.00	0109.00
	0111.00	0112.00	0113.00	0114.00	0118.00
	0120.00	0121.00			

MCD/CCD* WITHIN COUNTY

ROLLING SPRING DIST

ALLEGHANY

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

WASHINGTON

COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)	HCD/CCD*	WITHIN COUNTY (CONTINUED)
RICHMOND CITY	0702.00	0104.00	0201.00
	0207.00	0301.00	0302.00
	0404.00	0405.00	0408.00
	0601.00	0603.00	
	0007.00	0011.00	0012.00
	0442.00	0466.00	
ROANOKE CITY			
VIRGINIA BEACH			

CENSUS TRACTS WITHIN COUNTY

COUNTY NAME	CENSUS TRACTS WITHIN COUNTY	HCD/CCD*	WITHIN COUNTY
COLUMBIA	CLARK	0423.00	0424.00
	KING	0071.00	0072.00
	PIERCE	0602.00	0614.00
	SMITHSON	0407.00	
DOUGLAS			
PERRY			
GRAYS HARBOR			
PACIFIC			
PEND OREILLE			
SAN JUAN			

WEST VIRGINIA

COUNTIES

HCD/CCD* WITHIN COUNTY

COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)	HCD/CCD*	WITHIN COUNTY
ADAMS			
ASOTIN			
GARFIELD			
GRANT			
STEVENS			

CLARKSTON DIV

COUNTY NAME	CENSUS TRACTS WITHIN COUNTY (CONTINUED)	HCD/CCD*	WITHIN COUNTY
BARBOUR			
BOONE			
BRAXTON			
CALHOUN			
CLAY			
DODDGE			
FAYETTE			
GILMER			
GREENBRIER			
HAMPSHIRE			
HARDY			
HARRISON			
JACKSON			

LIST OF MEDICALLY UNDERSERVED AREAS

WEST VIRGINIA

COUNTY NAME	COUNTY NAME	CENSUS TRACES WITHIN COUNTY	CENSUS TRACES WITHIN COUNTY	CENSUS TRACES WITHIN COUNTY
JEFFERSON	CABELL	0005.00	0006.00	0007.00
LEWIS		0016.00		
LINCOLN	KANAWHA	0002.00	0008.00	0009.00
LOGAN		0109.00	0112.00	0120.00
MCCHESLEY		0132.00		
MASON				
MINGO	OHIO	0001.00	0004.00	0007.00
MONROE				
MORGAN	WAYNE	0051.00	0052.00	0201.00
NICHOLAS		0205.00	0206.00	0207.00
PENDLETON				
POCAHONTAS				
PRESTON				
PUTNAM				
RITCHIE				
ROANE				
SUMMERS				
TAYLOR				
TUCKER				
UPSHUR				
WEBSTER				
WETZEL				
WIRT				
WYOMING				

WISCONSIN

COUNTIES

ADAMS
DAVIDSON
EUREKA
FLORISSANCE
FOREST
IRON
LAPORTE
MARQUETTE
MEMPHIS
PRICE
SAVY
TAYLOR

MCD/CDD* WITHIN COUNTY

ALMA CITY
DELVIDER TOWN
FOUNTAIN CITY
MONTANA TOWN
NELSON TOWN
ALMA TOWN
COCHRAN VILLAGE
HAYVILLE TOWN
MONROVIA CITY
WAUNAMAKE TOWN
BOYD VILLAGE
LAKE HOLCOMBE TOWN
COLBURN TOWN
STANLEY CITY

LIST OF MEDICALLY UNDERSERVED AREAS

WEST VIRGINIA

COUNTIES (CONTINUED)

MCD/CDD* WITHIN COUNTY

GRANT DIST
HARRINGTON DIST
JUNIOR BRANCH DIST
ELK DIST
CLEAR FORK DIST
SLAB FORK DIST
PRY FORK DIST
MC ELROY DIST
HARRIS DIST
GRANT DIST
HARRINGTON DIST
JUNIOR BRANCH DIST
ELK DIST
CLEAR FORK DIST
SLAB FORK DIST
PRY FORK DIST
MC ELROY DIST
HARRIS DIST
GRANT DIST
HARRINGTON DIST
JUNIOR BRANCH DIST
ELK DIST
CLEAR FORK DIST
SLAB FORK DIST
PRY FORK DIST
MC ELROY DIST
HARRIS DIST

LIST OF MEDICALLY UNDERSERVED AREAS

LIST OF MEDICALLY UNDERSERVED AREAS

632 WISCONSIN

WISCONSIN

1.3.8

COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)	COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)
CLARK		ABBOTSFORD CITY (PART) EATON TOWN HOARD TOWN MENTOR TOWN WORDEN TOWN WYOCENA VILLAGE CLAYTON TOWN PERRYVILLE VILLAGE GAYS MILLS VILLAGE LYNXVILLE VILLAGE SENECA TOWN STUBEN VILLAGE WAUZEKA VILLAGE COLPAX VILLAGE NEW HAVEN TOWN AUGUSTA CITY CAMPBELLSPORT VILLAGE BAGLEY VILLAGE MUSCODA VILLAGE ARENA TOWN AYOCA VILLAGE HIGHLAND VILLAGE MIDPTLIN TOWN BLACK RIVER FALLS CITY CITY POINT TOWN KNAPP TOWN MERRILLAN VILLAGE NORTFIELD TOWN CAMP DOUGLAS VILLAGE FOUNTAIN TOWN NECEDAH VILLAGE WOLF RIVER TOWN HALSEY TOWN	MARINETTE MONROE OCONTO PERCE POLK PORTAGE RUSK SHAWANO TREMPEALEAU VERNON VILAS	PERMINT TOWN CASHTON VILLAGE KENDALL VILLAGE MORFALK VILLAGE WILTON VILLAGE ABRAMS TOWN CHASE TOWN LITTLE RIVER TOWN OCONTO FALLS TOWN DURAND CITY PEPIN VILLAGE ELMWOOD VILLAGE CENTURIA VILLAGE LANARK TOWN BRUCE VILLAGE WITTENBERG VILLAGE ARCADIA CITY CALLEDONIA TOWN ETTRICK VILLAGE INDEPENDENCE CITY PIGION FALLS STRUM VILLAGE WHITEHALL CITY CLINTON TOWN HAMORY TOWN LAPARGE VILLAGE READSTOWN VILLAGE STERLING TOWN VIROQUA CITY WEBSTER TOWN WHEATLAND TOWN CONOVER TOWN FLANBEAU TOWN WASHINGTON TOWN	WAUSAPEE VILLAGE GRANT TOWN NEW LYNE TOWN SCOTT TOWN ARMSTRONG TOWN GILLET CITY MORGAN TOWN OCONTO TOWN PEPIN TOWN UNION TOWN BLAIR CITY ETTRICK TOWN GALESVILLE CITY OSSO CITY PRESTON TOWN UNITY TOWN FOREST TOWN HILLSBORO CITY ONTARIO VILLAGE STARK TOWN VIOLA VILLAGE VIROQUA TOWN WESTBY CITY EAGLE RIVER CITY MANITONISH WATERS TOWN

LIST OF MEDICALLY UNDERSERVED AREAS

WISCONSIN

COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)
WALNORTH		
		FLOOMFIELD TOWN
		GENEVA TOWN
		WILLIAMS BAY VILLAGE
WASHBURN		BASHAW TOWN
WAUPACA		PARKINGTON TOWN
WAUSHARA		PLAINFIELD VILLAGE

CENSUS TRACTS WITHIN COUNTY

PROW	0010.00		
DOUGLAS	0201.00	0202.00	
KEOSHA	0010.00		
MILWAUKEE	0040.00	0083.00	0101.00
	0109.00	0111.00	0113.00
	0117.00	0120.00	0121.00
	0138.00	0139.00	0140.00
	0145.00	0146.00	0147.00
RACINE	0001.00		

WYOMING

COUNTIES

CAMPBELL
CONVERSE
HOT SPRINGS
JOHNSON
LARAMIE
NORRIS
WYOMING
WYOMING

COUNTY NAME	MCD/CCD*	WITHIN COUNTY
CROOK		HULFTT DIV
		SUNDANCE DIV

LIST OF MEDICALLY UNDERSERVED AREAS

WYOMING

COUNTY NAME	MCD/CCD*	WITHIN COUNTY (CONTINUED)
FRYMON		SHOSHONI DIV
GOSHE		GOSHE HOLE DIV
SHERIDAN		SHERIDAN DIV

OUTLYING AREAS

AMERICAN SAMOA
GUAM
PUERTO RICO
TRUST TPR OF PAC ISL
VIRGIN ISLANDS

*MINOR CIVIL DIVISIONS OR CENSUS COUNTY DIVISIONS.

**TRACTS WITHIN AREA CENSUS TRACT GROUPS WHICH HAVE INDEX SCORES OF 62 OR BELOW.

[FR Doc.70-20042 Filed 10-14-70;8:45 am]

FRIDAY, OCTOBER 15, 1976



PART V:

**DEPARTMENT OF
LABOR**

**Employment Standards
Administration**



**MINIMUM WAGES FOR
FEDERAL AND
FEDERALLY ASSISTED
CONSTRUCTION**

General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND
FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders, 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such

contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 13-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

NEW GENERAL WAGE DETERMINATION DECISIONS

Missouri ----- MO76-4176

MODIFICATIONS TO GENERAL WAGE DETERMINATIONS

The numbers of the decisions being modified and their dates of publication

in the FEDERAL REGISTER are listed with each State.

Alaska:		
AK76-5095	-----	Sept. 24, 1976.
Arkansas:		
AR76-4119	-----	July 16, 1976.
AR76-4132	-----	July 23, 1976.
California:		
CA76-5058; CA76-5059	----	July 2, 1976.
CA76-5061; CA76-5062	----	June 25, 1976.
Georgia:		
GA76-1089	-----	Aug. 27, 1976.
Hawaii:		
HI76-5092	-----	Sept. 24, 1976.
Idaho:		
ID76-5088	-----	Do.
Kentucky:		
KY76-1028	-----	Feb. 20, 1976.
KY76-1038	-----	Mar. 12, 1976.
KY76-1058	-----	May 12, 1976.
KY76-1077; KY76-1078;		July 23, 1976.
KY 76-1079.		
KY76-1086	-----	Aug. 27, 1976.
Louisiana:		
LA76-4143	-----	Aug. 20, 1976.
Maryland:		
MD76-3218	-----	July 30, 1976.
Massachusetts:		
MA76-2095; MA76-2096;		Aug. 13, 1976.
MA76-2097.		
Montana:		
MT76-5027	-----	Apr. 9, 1976.
Nevada:		
NV76-5083	-----	Sept. 10, 1976.
NV76-5089; NV76-5091	----	Sept. 24, 1976.
New Mexico:		
NM76-4144	-----	Sept. 3, 1976.
Pennsylvania:		
PA76-3158	-----	Apr. 9, 1976.
PA76-3163	-----	May 7, 1976.
PA76-3169	-----	May 21, 1976.
PA76-3180	-----	June 11, 1976.
PA76-3181	-----	June 18, 1976.
Texas:		
TX76-4125; TX76-4128	----	June 23, 1976.
TX76-4140	-----	Aug. 6, 1976.
TX76-4151; TX76-4152	----	Sept. 24, 1976.
TX76-4155; TX76-4157	----	Oct. 1, 1976.
Utah:		
UT76-5082	-----	Sept. 10, 1976.

SUPERSEDEAS DECISIONS TO GENERAL
WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State.

Supersedeas Decision numbers are in parentheses following the numbers of the decision being superseded.

Georgia:		
GA76-1039 (GA76-1119)	--	Sept. 3, 1976.
Kentucky:		
KY76-1106 (KY76-1118)	--	Sept. 17, 1976.
Iowa:		
IA76-4065 (IA76-4172)	---	Mar. 5, 1976.
IA76-4062 (IA76-4173); IA		Feb. 27, 1976.
76-4063 (IA76-4174); IA		
76-4064 (IA76-4175).		
Nebraska:		
NE76-4157 (NE76-4178)	----	Sept. 12, 1976.
Texas:		
TX76-4113 (TX76-4161)	--	July 16, 1976.

Signed at Washington, D.C., this 8th day of October 1976.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

STATE: Missouri
 COUNTIES: Jasper, McDonald and Newton
 DATE: Date of Publication
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
ASBESTOS WORKERS	\$9.85	.25	.62			.02
BOILERMAKERS	10.30	.85	1.00			.02
BRICKLAYERS & STONEMASONS	7.85		.20			
CARPENTERS:						
Carpenters	8.12	.33	.30			
Millwrights & pilledrivermen	8.37	.33	.30			
CEMENT MASONS	7.40					
ELECTRICIANS:						
Electricians	9.15	.35	1%			.01
Cable splicers	9.50	.35	1%			.01
ELEVATOR CONSTRUCTORS:						
Elevator constructors	10.56	.445	.29	3%+a+b		.02
Helpers	70%JR	.445	.29	3%+a+b		.02
Helpers probationary	50%JR					

FOOTNOTES: - a-Employer contributes 4% of basic hourly rate for over 5 years of service and 2% of basic hourly rate for 6 months to 5 years service as vacation Pay Credit. b-1st 6 months-none; 6 months-5 years 2%; over 5 years 4% of basic hourly rate; also 6 paid holidays.

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
GLAZIERS	8.05	.45	.50	.25		.10
IRONWORKERS	8.90					
LABORERS:						
Group 1	5.50	.40	.40	.40		.10
Group 2	5.75	.40	.40	.40		.10
Group 3	5.80	.40	.40	.40		.10
Group 4	5.85	.40	.40	.40		.10

CLASSIFICATION DEFINITIONS

LABORERS:
 Group 1 - Common labor, carpenter tenders, trackmen, wreckers handling and carrying of reinforced steel

Group 2 - Pipelayers, air tool operators, pier hole diggers, vibrators, jackhammer, chipping hammer operators, asphalt rollers mastic bottlermen, sandblasting, gunnite, nozzle-men and tarco operator

Group 3 - Plasterers and mason tenders, stone mason tenders

Group 4 - Fendermen, cutting torch and welders

NOTICES

45781

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
LINE CONSTRUCTION:						
Linemen	\$10.09	.38	12%+15			1/2
Heavy equipment operators	9.62	.38	12%+15			1/2
Groundman	6.48	.38	12%+15			1/2
Groundman 1st year	4.93	.38	12%+15			1/2
Groundman, powderman	7.01	.38	12%+15			1/2
PAINTERS:						
Brush, roller, tapers, floor-tile & carpet layers, paper-hangers	7.92		.30			
Spray	8.295		.30			
PLUMBERS	7.50					
POWER EQUIPMENT OPERATORS:						
Group 1	9.13	.50	.25			.02
Group 2	8.93	.50	.25			
Group 3	8.78	.50	.25			
Group 4	8.43	.50	.25			

CLASSIFICATION DEFINITIONS

Power Equipment Operators:

Group 1 - Asphalt paver and mixer, crane, derrick, dragline, drum or tower hoist-2 drum, power shovel, backhoe, trenching machine, piledriver, sideboom cat operator, tractor swing crane (cherry picker)

Group 2 - Bulldozer, barbed wire loader or similar type, dirt scoop or pan, drum or tower hoist-1 drum, forklift, front end loader, elevating grader, hydrohammer, mechanic (heavy duty), power blade, motor patrol, pump (concrete), tractor pusher, roller (hot asphalt)

Group 3 - Pump (other than concrete), roller (other than asphalt), tractor (compaction roller or pull blade), distributor (bituminous surface), finishing machine (concrete paving), concrete saw operator (self-propelled)

Group 4 - Air compressor, oiler, small machine operator

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
ROOFERS	6.70	.36	.10			
SHEET METAL WORKERS	8.33	.35	.50			.03
SPRINGING FITTERS	11.40	.60	.90			.08

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
TRUCK DRIVERS:					
Pickup or station wagon	\$5.90	.25			
Dump and under 5 tons, flat-bed, warehousemen	6.00	.25			
Transit mix	6.23	.25			
Tandem dump over 5 tons, winch, semi-trailer, lowboy, euclids or other similar equipment	6.27	.25			

MODIFICATIONS P. 1

DECISION NO. AR76-5095 - Mod. #2
(41 FR 42060 - September 24, 1976)
Statewide, Alaska

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$16.80	.73	1.40			.15
CHANGE: BRICKLAYERS-Stonemasons LINE CONSTRUCTION Linemen Cable splicers Operator					
\$ 8.55	.40	.35			.04
10.35		1%			3/8%
10.475		1%			3/8%
10.35		1%			3/8%
DECISION NO. AR76-4132 - Mod. #1 (41 FR 30511 - July 23, 1976) Sebastian & Crawford Counties, Arkansas					
CHANGE: LINE CONSTRUCTION: Linemen; operator Cable splicers BRICKLAYERS-Stonemasons					
\$9.15	.35	1%			1/4%
9.30	.35	1%			1/4%
8.55	.40	.35			.04

MODIFICATIONS P. 2

DECISION #CA76-5058 - Mod. #3
(41 FR 27549 - July 2, 1976)
Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties, California

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$ 8.255	\$.95	\$1.95	\$.55		
CHANGE: Brick Tenders Electricians: Kern (China Lake Naval Ordnance Test Station, Edwards AFB) Electricians; Technicians Cable Splicers Kern (Remainder of County) Electricians; Technicians Cable Splicers Riverside County Electricians Cable Splicers Line Construction: Kern (China Lake Naval Ordnance Test Station, Edwards AFB) Groundmen Linemen Cable Splicers Kern (Remainder of County) Groundmen Linemen Cable Splicers Riverside County Groundmen Linemen; Line Equipment Op. Cable Splicers					
14.06	.70	17+1.39			.15
15.47	.70	17+1.39			.15
11.56	.70	17+1.39			.15
12.72	.70	17+1.39			.15
11.51	.60	17+1.25			.04
11.81	.60	17+1.25			.04
Groundmen Linemen Cable Splicers Kern (Remainder of County) Groundmen Linemen Cable Splicers Riverside County Groundmen Linemen; Line Equipment Op. Cable Splicers					
11.17	.70	17+1.39			.15
14.06	.70	17+1.39			.15
15.47	.70	17+1.39			.15
8.67	.70	17+1.39			.15
11.56	.70	17+1.39			.15
12.72	.70	17+1.39			.15
8.65	.60	17+1.25			.04
11.53	.60	17+1.25			.04
11.83	.60	17+1.25			.04

DECISION #CA76-5059 - Mod. #3
(41 FR 27559 - July 2, 1976)
Imperial, Kern, Los Angeles,
Orange, Riverside, San
Bernardino, San Luis Obispo,
Santa Barbara and Ventura
Counties, California

Change:
Brick Tenders
Electricians:
Kern (China Lake Naval Ord-
nance Test Station, Edwards
AFB)
Electricians; Technicians
Cable Splicers
Kern (Remainder of County)
Electricians; Technicians
Cable Splicers
Riverside County
Electricians
Cable Splicers
Painters:
Kern (Remainder of County)
Brush
Brush or Roller (Swing
Stage); Paperhanger; Tap-
ing Joint Sheet Rock
Spray; Sandblaster
Plasterer Tenders:
Imperial, Riverside and San
Bernardino Counties
Kern (China Lake Naval Ord-
nance Test Station, Edwards
AFB)
Kern (Remainder of County)
Los Angeles and Orange Cos.
San Luis Obispo County
Santa Barbara County (except
Santa Maria)
Santa Barbara (Santa Maria)
Ventura County

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$ 8.255	.95	\$1.95	\$.55		
14.06	.70	17+1.39			.15
15.47	.70	17+1.39			.15
11.56	.70	17+1.39			.15
12.72	.70	17+1.39			.15
11.51	.60	17+1.25			.04
11.81	.60	17+1.25			.04
9.87	.45	.61			.03
10.12	.45	.61			.03
10.37	.45	.61			.03
10.18	.95	1.95	.50		
11.725	.95	1.95	.55		
9.10	.95	1.95	.55		
10.175	.95	1.95	.80		
8.35	.95	1.95	.50		
9.53	.95	1.95	.55		
9.73	.95	1.95	.55		
9.88	.95	1.95	1.05		

DECISION NO. CA76-5058 (Cont'd)

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$ 9.87	.45	\$.61			.03
10.12	.45	.61			.03
10.37	.45	.61			.03
11.37	.45	.61			.03
10.18	.95	1.95	.50		
10.175	.95	1.95	.80		
11.725	.95	1.95	.55		
9.10	.95	1.95	.55		
8.35	.95	1.95	.50		
9.53	.95	1.95	.55		
9.73	.95	1.95	.55		
9.88	.95	1.95	1.05		

Painters:
Kern (Remainder of County)
Brush
Brush or Roller (Swing
Stage); Paperhanger; Tap-
ing Joint Sheet Rock
Spray; Sandblasters
Steeplejack
Plasterer Tenders:
Imperial, Inyo, Mono, River-
side and San Bernardino Cos.
Los Angeles and Orange Cos.
Kern (China Lake Naval Ord-
nance Test Station, Edwards
AFB)
Kern (Remainder of County)
San Luis Obispo County
Santa Barbara County (except
Santa Maria)
Santa Barbara (Santa Maria)
Ventura County

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #CA76-5061 - Mod. #3 (41 FR 26429 - June 25, 1976) San Diego County, California Change: Marble Sotters' Helpers Plasterers	\$ 9.17 10.81	\$1.00 1.50	\$1.00 1.00		.07
DECISION #CA76-5062 - Mod. #3 (41 FR 26436 - June 25, 1976) San Diego County, California Change: Marble Sotters' Helpers Plasterers	\$ 9.17 10.81	\$1.00 1.50	\$1.00 1.00		.07

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #GA76-1089 - Mod. #2 (41 FR-36378 - August 27, 1976) Clayton, Cobb, Fulton, & DeKalb Counties, Georgia Change: Glaziers Terrazzo workers' helpers: Helpers Terrazzo floor machine operator Terrazzo bag machine operator	9.00 .55	.38			.105
DECISION #H176-5092 - Mod. #1 (41 FR 42099 - September 24, 1976) Statewide Hawaii Change: Laborers: Group 1 Group 1-a Group 1-b Group 1-c Group 1-d Group 1-e Group 2 Group 3 Sheet Metal Workers	\$7.21 7.71 7.71 7.96 8.16 6.00 7.46 7.66 10.05	.64 .64 .64 .64 .64 .64 .64 .64 .76	.76 .76 .76 .76 .76 .10 .76 1.62+.40	.33 .33 .33 .33 .33 .33 .33 .33 .88	.13 .13 .13 .13 .13 .13 .13 .13 .30+.02

MODIFICATIONS P. 8

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #KY76-1028 - Mod. #6 (41 FR-7905 - February 20, 1976) Franklin County, Kentucky Change: Asbestos workers Bricklayers Add: Soft floor layers Stonemasons	11.06 9.40	.45 .35	.65 .50		.02
DECISION #KY76-1038 - Mod. #6 (41 FR-10828 - March 12, 1976) Hardin, Jefferson, and Meade Counties, Kentucky Change: Asbestos workers Soft floor layers	\$11.06 9.65	.45 .30	.65 .30		
DECISION #KY76-1058 - Mod. #2 (41 FR-21082 - May 21, 1976) McCracken County, Kentucky Change: Bricklayers Marble masons Stone masons Terrazzo workers Tile setters	8.65 8.65 8.65 8.65 8.65				

MODIFICATIONS P. 7

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #ID76-5088 - Mod. #1 (41 FR 42103 - September 24, 1976) Statewide Idaho Change: Boilermakers Bricklayers; Stonemasons: Benevah, Bonner, Boundary, Kootenai, Shoshone Counties Ironworkers: Ornamental; Reinforcing; Structural; Those portions of Adams, Idaho, Valley, Washington Counties located south of the 46th Parallel and north of the Weiser-Gibbonsville Line Line Construction Workers: (AREA 1): Benevah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties; Cable splicers; Leadman pole sprayer Lineman; Pole sprayer; Heavy line equipment man; Certified lineman welder Tree trimmer Line equipment man Head groundman (chipper); Head groundman; Powder- man; Jackhammer man Groundman; Tree trimmer helper Plasterers: Benevah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties	.75 10.50 10.90 11.95 10.79 9.74 9.30 8.12 7.65 10.53	\$1.00 1.00 1% 1% 1% 1% 1% 1% 1% 1%	.50 .25 .10 .10 .10 .10 .10 .10 .10 .50	.02 .05 1% 1% 1% 1% 1% 1% 1%	

MODIFICATIONS P. 10

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
DECISION #1A76-4143 - Mod. #4 (41 FR 35349 - August 20, 1976) Statewide Louisiana				
Change: Bricklayers & stonemasons:				
Zone 1	\$ 8.95	.20	.25	.06
Zone 9	8.75		.25	
Carpenters:				
Zone 10	8.10	.35	.20	.05
Cement masons (Building Construction):				
Zone 8	7.47		.25	
Nailbe setters:				
Zone 4	7.72		.25	
Hillwrights:				
Zone 8	9.00	.35	.20	.05
Filedrivermen:				
Zone 8	8.60	.35	.20	.05
Soft floor layers:				
Zone 8	8.10	.35	.20	.05
Terrazzo workers:				
Zone 4	7.72		.25	
Tile setters:				
Zone 4	7.72		.25	
DECISION NO. 76MD-2018-Vol. 42 (41 FR 32136-July 30, 1976) Baltimore, Harford, Howard Counties and the City of Baltimore, Maryland				
Change: Sheet Metal Workers	\$10.12	.75	.70	.05

MODIFICATIONS P. 11

DECISION NO. WA76-2096- Mod #1 (41 FR 34503- August 13, 1976) Berkshire County, Massachusetts	Basic Hourly Rates	Fringe Benefits, Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change: Laborers (building):					
Laborers, carpent tenders, and wrecking laborers	7.50	.60	.70		.10
Jackhammer ops, pavement break- ers, asphalt rakers, carbide core drilling machine, chain saw ops, pipelayers, barco-type jumping tampers, laser beam, concrete pump ops, mason ten- ders, mortar mixers, ride-on motorized buggy, fence and beam rail erectors, & plasterers' tenders	7.75	.60	.70		.10
Air track, block pavers, tampers, curb setters	8.00	.60	.70		.10
Blasters, powdermen Open air calisson, cylindrical work and boring crew:	8.25	.60	.70		.10
Laborer, top man	7.50	.60	.70		.10
Helper	7.62	.60	.70		.10
Bottom man	8.25	.60	.70		.10
Driller	8.37	.60	.70		.10
Marble setters' & tile setters' helpers	8.95				
Painters:					
Brush and Roller	8.92	.60	.35		.03
Spray	11.8933	.66	.80		.04
Swing stage-under 40' & steel	9.107	.60	.35		.03
Swing state over 40' & steel	9.42	.60	.35		.03
Plumber and Steamfitters: Adams, Clarkburg, Florida, N. Adams, Savoy, Williamstown, & northern half of Cheshire, New Ashford					
Becket, Otis, Sandisfield (Plumb- ers only)	9.97	.65	.50		.02
Becket, Otis, Sandisfield, and New Boston (Steamfitters)	9.85	.96	1.00	8	.10
	10.58	.57	.70	.08	.02

MODIFICATIONS P. 14

DECISION NO. MV76-5027 - Mod. #2
(41 FR 15250 - April 9, 1976)

Cascade, Deerledge, Gallatin,
Glacier, Hill, Missoula, Silver-
Bow and Valley Counties, Mon-
tana

Change:

ELECTRICIANS:

Missoula County:

Electricians

Cable Splicers

Gallatin County:

Electricians

Hill County:

Electricians

Valley County:

Electricians

IRONWORKERS:

Structural, Ornamental and

Reinforcing:

Glacier and Missoula Coun-

ties

Remaining Counties

PAINTERS:

Cascade, Glacier and Valley

Counties:

Brush

Paperhangar, Brush on steel

Spray and sandblasting

ROOFERS:

Cascade, Glacier, Hill and

Valley Counties

Missoula County

SHEET METAL WORKERS:

Cascade, Glacier and Hill Cos.

Deerledge and Silver Bow Cos.

Missoula County

Gallatin County

SPRINKLER FITTING

TERRAZZO AND TILE SETTERS:

Cascade and Glacier counties

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
10.00	.60	1.00			.07
9.40	.48	12+1.40			.02
7.85	.55	12+70			
10.00	.55	12+70			
9.70	4%	12+80	4%		1/2
7.50	.60	.70			.10
7.75	.60	.70			.10
8.00	.60	.70			.10
8.25	.60	.70			.10
7.50	.60	.70			.10
7.62	.60	.70			.10
8.25	.60	.70			.10
8.37	.60	.70			.10
8.30	.60	.20			
9.30	.60	.20			
11.55	.60	.20			
9.76	.72	1.05			.04
11.88	.72	1.05			.04
10.76	.72	1.05			.04
8.61	.72	1.05			.04
7.25	.60	.70			.10
10.31	1.16	1.10			.06

MODIFICATIONS P. 13

DECISION NO. MV76-2097- Mod. #1
(41 FR 34509- August 13, 1976)
Bristol County, Massachusetts

Change:

Carpenters, Soft floor layers:

Attleboro, N. Attleboro, and S.

Attleboro

Electricians:

Attleboro, N. Attleboro & Seekonk

Aquinet, Dartmouth, Fairhaven,

New Bedford, N. Dartmouth, &

S. Dartmouth:

Repair, Jobbing, commercial,

remodel, rewiring jobs with

electr. contract under \$25,

000

All other commercial

Fall River, Freetown, Somerset,

Swansea, and Westport

Laborers (building):

Laborers, carpent tenders, and

wrecking laborers

Jackhammer ops, pavement break-

ers, asphalt rakers, carbide

core drilling machine, chain

saw ops, pipelayers, barco-type

jumping tumpers, laser beam,

concrete pump ops, mason ten-

ders, mortar mixers, ride-on

motorized buggy, fence and beam

rail erectors, & plasterers'

tenders

Air track, block pavers, tamper,

curb setters

Blasters, powdermen

Open air caisson, cylindrical

work and boring crew:

Laborer, top man

Helper

Bottom man

Driller

Painters:

Aquinet, Dartmouth, Fairhaven,

New Bedford, N. Dartmouth, and

S. Dartmouth:

Brush, Roller

Spray

Steel

Remainder of County:

Brush, Taper

Steel (new and repaint steel)

Spray, sandblasting

All other repaint and alterations

Plasterers' tenders

Sheet metal workers

DECISION #NV76-5083 (Cont'd)

Change (Cont'd):
Carpenters (Cont'd):
Nye County (north of Hwy. #6,
excluding City of Tonopah)
and all Remaining Counties
(Cont'd):

Zone 1 (Cont'd): than the
foot of the mountains to
the east or west side of
Washoe Valley, also the
area of Stread Air Force
Base:

Carpenter
Floor layer; Patent
scaffold erector;
Power saw operator;
Piledrivermen
Millwrights

Zone 2: Area outside of
Zone 1 and not more than
20 road miles from the
above communities:

Carpenter
Floor layer; Patent
scaffold erector;
Power saw operator;
Piledrivermen
Millwrights

Zone 3: Area over 20 and
not more than 40 road
miles from the above
communities:

Carpenter
Floor layer; Patent
scaffold erector;
Power saw operator;
Piledrivermen
Millwrights

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$12.80	.75	\$1.00	.50		.02
12.46	.55	.90	1.00		.10
12.61	.55	.90	1.00		.10
12.66	.55	.90	1.00		.10
13.06	.55	.90	1.00		.10

Change:

Boilermakers

Carpenters:

Clark, Esmeralda, Lincoln,

Nye County (south of Hwy.

#6, including City of Tono-

pah):

Zone 4: Area over 40 miles

from the communities

described above (see

definition of Zone 1 in

Supersedes):

Carpenters

Floor layers; Patent

scaffold erectors;

Power saw operators

Piledrivermen

Millwrights

Nye County (north of Hwy. #6,

excluding City of Tonopah)

and all Remaining Counties:

Zone 1: Area within 5 road

miles of the following

communities - Carson City,

Elko, Ely, Fallon, Haw-

thorne, Lovelock, Minden,

Winnamucca; also area

within 10 road miles of

Reno, Nevada; also the

area within 2 road miles

of Yerington, Nevada; also

Washoe Valley between

Reno, Nevada, and Carson

City, Nevada, but not in-

cluding any area further

DECISION #NV76-5083 - Mod. #3
(41 FR 38725 - September 10,
1976)

Statewide (excluding the Ne-
vada Test Site and Tonopah
Test Range), Nevada

MODIFICATIONS P. 18

DECISION #NV76-5083 (Cont'd)

Change (Cont'd):
Drywall Installers (Cont'd):
Statewide except the Counties
of Clark, Esmeralda, Lin-
coln, Nye County (south of
 Hwy. #6) (Cont'd):
Zone 2: Area outside of Zone
1 and not more than 20
road miles from the above
communities
Zone 3: Area over 20 and not
more than 40 road miles
from the above communities
Zone 4: Area over 40 road
miles from the above com-
munities

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Education and/or Appr. Tr.
\$11.05	.65	\$1.01	\$1.00	.05
11.20	.65	1.01	1.00	.05
11.25	.65	1.01	1.00	.05
11.65	.65	1.01	1.00	.05
<p>Change (Cont'd): Carpenters (Cont'd): Nye County, north of Hwy. #6, excluding City of Tonopah, and all Remaining Counties (Cont'd): Zone 4: Area over 40 road miles from the above communities: Carpenter Floor layer; Patent scaffold erector; Power saw operator Piledrivermen Millwrights Drywall installers: Statewide except the Counties of Clark, Esmeralda, Lincoln, Nye County (south of Hwy. #6): Zone 1: Area within 5 road miles of the following communities: Carson City, Elko, Ely, Fallon, Hawthorne, Lovelock, Minden, Winnemucca; also area within 10 road miles of Reno, Nevada; also the area within 2 road miles of Yerington, Nevada; also Washoe Valley between Reno, Nevada, and Carson City, Nevada, but not including any area further than the foot of the mountains to the east or west side of Washoe Valley; also the area of Stead Air Force Base</p>				
9.80	.65	1.01	1.00	.05

Change (Cont'd): Drywall Installers (Cont'd): Statewide except the Counties of Clark, Esmeralda, Lin- coln, Nye County (south of Hwy. #6) (Cont'd): Zone 2: Area outside of Zone 1 and not more than 20 road miles from the above communities Zone 3: Area over 20 and not more than 40 road miles from the above communities Zone 4: Area over 40 road miles from the above com- munities	Fringe Benefits Payments				
	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr. Tr.
	\$10.40	.65	\$1.01	\$1.00	.05
	10.60	.65	1.01	1.00	.05
	11.30	.65	1.01	1.00	.05

DECISION #NV76-5089 - Mod. #2
(41 FR 42116 - September 24,
1976)
Washoe County, Nevada

Change:
Boilermakers
Carpenters:
Zone 1: Area within 5 road
miles of the following com-
munities - Carson City, El-
ko, Ely, Fallon, Hawthorne,
Lovelock, Minden, Winnemucca;
also area within 10
road miles of Reno, Nevada;
also the area within 2 road
miles of Yerington, Nevada;
also Washoe Valley between
Reno, Nevada, and Carson
City, Nevada, but not in-
cluding any area further
than the foot of the moun-
tains to the east or west
side of Washoe Valley; also
the area of Stead Air Force
Base;

Residential carpenter
Zone 2: Area outside of Zone
1 and not more than 20 road
miles from the above com-
munities;

Residential carpenter
Zone 3: Area over 20 and not
more than 40 road miles from
the above communities;

Residential carpenter
Zone 4: Area over 40 road
miles from the above com-
munities;

Residential carpenter

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$12.80	.75	\$1.00	.50		.02
7.64	.65	1.01	1.00		.05
8.24	.65	1.01	1.00		.05
8.44	.65	1.01	1.00		.05
9.14	.65	1.01	1.00		.05

DECISION #NV76-5091 - Mod. #2
(41 FR 42124 - September 24,
1976)
Clark County (excluding the
Nevada Test Site), Nevada

Change:
Boilermakers
Carpenters:
Zone 4: Area over 40 miles
from the communities des-
cribed above (see defin-
ition of Zone 1 in Super-
sedes):
Carpenters
Floor layers; Patent scaf-
fold erectors; Power
saw operators
Piledrivers
Millwrights

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$12.80	.75	\$1.00	.50		.02
12.46	.55	.90	1.00		.10
12.61	.55	.90	1.00		.10
12.66	.55	.90	1.00		.10
13.06	.55	.90	1.00		.10

MODIFICATIONS P. 22

DECISION NO. NM76-4144, Mod. #3

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
PAINTERS - ZONE III				
Zone 3-A	.30			.02
Zone 3-B	.30			.02
Zone 3-C	.30			.02
Zone 3-D	.30			.02
Zone 3-E	.30			.02
PAINTERS - ZONE I				
Zone 1-A	.35	.20		.05
Zone 1-B	.35	.20		.05
Zone 1-C	.35	.20		.05
Zone 1-D	.35	.20		.05
Zone 1-E	.35	.20		.05
PAINTERS (INDUSTRIAL WORK)				
ZONE I				
Brush, roller, sandblast and grinder operators	.35	.20		.05
Spray	.35	.20		.05
Pot tender	.35	.20		.05
PLUMBERS-PIPEFITTERS				
Area I	.63	1.36		.12
Area II	.63	1.36		.12
Area III	.63	1.36		.12
Specific Area	.63	1.36		.12
SOFT FLOOR LAYERS				
Zone 2	.35	.20		.02
SHEET METAL WORKERS				
Zone 1	.53	.95		.12
Zone 4	.53	.95		.12
MARBLE, TILE & TERRAZZO WORKERS				
MARBLE, TILE & TERRAZZO HELPERS	.48			
POWER EQUIPMENT OPERATORS				
AREA I (RESIDENTIAL & GENERAL BUILDING CONSTRUCTION)				
ZONE I				
Group 1	.45	.50		.10
Group 2	.45	.50		.10
Group 3	.45	.50		.10
Group 4	.45	.50		.10
Group 5	.45	.50		.10
Group 6	.45	.50		.10
Group 7	.45	.50		.10

MODIFICATIONS P. 21

DECISION NO. NM76-4144 - Mod. #3
(41 FR 37495 - September 3, 1976)
Statewide, New Mexico

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
CHANGE I				
BRICKLAYERS-Stonemasons:				
Zone I-A	.57	.40		.10
Zone I-B	.57	.40		.10
Zone I-C	.57	.40		.10
CEMENT MASONS:				
Area I	.57	.45		
Area II	.57	.45		
Zone 1	.57	.45		
Zone 2	.57	.45		
Zone 3	.57	.45		
CEMENT MASONS:				
Composition & Machine Operators				
Area I	.57	.45		
Area II	.57	.45		
Zone 1	.57	.45		
Zone 2	.57	.45		
Zone 3	.57	.45		
ELECTRICIANS - ZONE V				
5-A	.40	.17		.01
5-B	.40	.17		.01
5-C	.40	.17		.01
5-D	.40	.17		.01
CABLE SPICERS - ZONE IV				
4-A	.40	.17		.01
4-B	.40	.17		.01
4-C	.40	.17		.01
4-D	.40	.17		.01
LABORERS (GENERAL BUILDING, HEAVY ENGINEERING CONSTRUCTION)				
Group I	.43	.50		.05
Group II	.43	.50		.05
Group III	.43	.50		.05
Group IV	.43	.50		.05
LABORERS (RESIDENTIAL CONSTRUCTION)				
Group I	.43	.50		.05
Group II	.43	.50		.05
Group III	.43	.50		.05
Group IV	.43	.50		.05

MODIFICATIONS P. 24

DECISION NO. NN76-4144 - Mod. #3

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
\$ 7.28	.45	.50		.10
8.28	.45	.50		.10
7.82	.45	.50		.10
8.82	.45	.50		.10
7.90	.45	.50		.10
8.90	.45	.50		.10
7.96	.45	.50		.10
8.96	.45	.50		.10
8.02	.45	.50		.10
9.02	.45	.50		.10
8.12	.45	.50		.10
9.12	.45	.50		.10
8.22	.45	.50		.10
9.22	.45	.50		.10
8.40	.45	.50		.10
9.40	.45	.50		.10
9.20	.45	.50		.10
10.20	.45	.50		.10
7.28	.45	.50		.10
8.03	.45	.50		.10
8.28	.45	.50		.10
7.82	.45	.50		.10
8.57	.45	.50		.10
8.82	.45	.50		.10
7.90	.45	.50		.10
8.65	.45	.50		.10
8.90	.45	.50		.10

HEAVY CONSTRUCTION (AREA I)

GROUP I	
Zone 1	
Zone 2	
GROUP II	
Zone 1	
Zone 2	
GROUP III	
Zone 1	
Zone 2	
GROUP IV	
Zone 1	
Zone 2	
GROUP V	
Zone 1	
Zone 2	
GROUP VI	
Zone 1	
Zone 2	
GROUP VII	
Zone 1	
Zone 2	
GROUP VIII	
Zone 1	
Zone 2	
GROUP IX	
Zone 1	
Zone 2	

HEAVY CONSTRUCTION (AREA II)

GROUP I	
Zone 1	
Zone 2	
Zone 3	
GROUP II	
Zone 1	
Zone 2	
Zone 3	
GROUP III	
Zone 1	
Zone 2	
Zone 3	

MODIFICATIONS P. 23

DECISION NO. NN76-4144 - Mod. #3

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
\$ 8.45	.45	.50		.10
9.25	.45	.50		.10
8.58	.45	.50		.10
9.12	.45	.50		.10
9.20	.45	.50		.10
9.26	.45	.50		.10
9.32	.45	.50		.10
9.42	.45	.50		.10
9.52	.45	.50		.10
9.70	.45	.50		.10
10.50	.45	.50		.10
8.83	.45	.50		.10
9.37	.45	.50		.10
9.45	.45	.50		.10
9.51	.45	.50		.10
9.57	.45	.50		.10
9.67	.45	.50		.10
9.77	.45	.50		.10
9.95	.45	.50		.10
10.75	.45	.50		.10
7.33	.45	.50		.10
7.87	.45	.50		.10
7.95	.45	.50		.10
8.01	.45	.50		.10
8.17	.45	.50		.10
8.27	.45	.50		.10
8.45	.45	.50		.10
9.25	.45	.50		.10

POWER EQUIPMENT OPERATORS

AREA I - RESIDENTIAL AND GENERAL BUILDING CONSTRUCTION (CONT'D)

ZONE I (cont'd)

GROUP 8

GROUP 9

ZONE II

GROUP 1

GROUP 2

GROUP 3

GROUP 4

GROUP 5

GROUP 6

GROUP 7

GROUP 8

GROUP 9

ZONE III

GROUP 1

GROUP 2

GROUP 3

GROUP 4

GROUP 5

GROUP 6

GROUP 7

GROUP 8

GROUP 9

ZONE IV

GROUP 1

GROUP 2

GROUP 3

GROUP 4

GROUP 5

GROUP 6

GROUP 7

GROUP 8

GROUP 9

ZONE V

GROUP 1

GROUP 2

GROUP 3

GROUP 4

GROUP 5

GROUP 6

GROUP 7

GROUP 8

GROUP 9

ZONE VI

GROUP 1

HEAVY ENGINEERING CONSTRUCTION (POWER EQUIPMENT OPERATORS AREA DEFINITIONS)

AREA I - Statewide, except San Juan County

Basing points for zone pay shall be determined from the Center of the following cities - Albuquerque, Carlsbad, Gallup, Raton and Las Cruces.

Zone I - 0 to 50 miles

Zone II - Over 50 miles

Zone III - Farmington, San Juan County

Zone I - 0 to 15 miles from Farmington City Hall

Zone II - 15 to 35 miles from Farmington City Hall

Zone III - Over 35 miles from Farmington City Hall

DECISION NO. NM76-4144 - Mod. #3

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
HEAVY CONSTRUCTION (AREA II)(cont'd)						
GROUP IV	\$ 7.96	.45	.50			.10
Zone 1	8.71	.45	.50			.10
Zone 2	8.96	.45	.50			.10
Zone 3						
GROUP V						
Zone 1	8.02	.45	.50			.10
Zone 2	8.77	.45	.50			.10
Zone 3	9.02	.45	.50			.10
GROUP VI						
Zone 1	8.12	.45	.50			.10
Zone 2	8.87	.45	.50			.10
Zone 3	9.12	.45	.50			.10
GROUP VII						
Zone 1	8.22	.45	.50			.10
Zone 2	8.97	.45	.50			.10
Zone 3	9.22	.45	.50			.10
GROUP VIII						
Zone 1	8.40	.45	.50			.10
Zone 2	9.15	.45	.50			.10
Zone 3	9.40	.45	.50			.10
GROUP IX						
Zone 1	9.20	.45	.50			.10
Zone 2	9.95	.45	.50			.10
Zone 3	10.20	.45	.50			.10
GENERAL BUILDING CONSTRUCTION						
TRUCK DRIVERS						
Group 1	6.21	.57	.50			
Group 2	6.33	.57	.50			
Group 3	6.41	.57	.50			
Group 4	6.53	.57	.50			
Group 5	6.68	.57	.50			
Group 6	6.78	.57	.50			
Group 7	6.92	.57	.50			
Group 9	7.07	.57	.50			
RESIDENTIAL CONSTRUCTION						
TRUCK DRIVERS						
Group 1	5.91	.57	.50			
Group 2	6.03	.57	.50			
Group 3	6.11	.57	.50			
Group 4	6.23	.57	.50			
Group 5	6.28	.57	.50			
Group 6	6.38	.57	.50			
Group 7	6.48	.57	.50			
Group 8	6.62	.57	.50			
Group 9	6.77	.57	.50			

DECISION NO. NM76-4144 - Mod. #3

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
ONITE:					
SOUND INSTALLERS:					
Zone I - Bernalillo County					
Zone II - Valencia, Sandoval, Santa Fe, Torrance & Socorro Counties					
Zone III - Guadalupe, DeBaca, Quay, San Miguel, Mora, Harding, Union, Colfax, Taos, Rio Arriba, Catron, Sierra, Grant, Chaves, Roosevelt, Lincoln, Curry and Los Alamos Counties, all of San Juan County excluding the Navajo Indian Reservation.					
ADD:					
LABORERS (GENERAL BUILDING, HEAVY ENGINEERING CONSTRUCTION)	\$ 6.86	.43	.50		.05
Group					

SOUND INSTALLERS ZONE DEFINITIONS

SOUND INSTALLERS ZONE DEFINITIONS

ZONE I

Thirty mile radius of main post office of Albuquerque

ZONE II

Remainder of Valencia, Sandoval, Santa Fe, Torrance, and Socorro Counties, the hourly rates of pay shall be increased by twelve and one-half (12½) percent of journeyman rate of pay for Zone I.

ZONE III

Chaves, Curry, Roosevelt, Lincoln, Guadalupe, DeBaca, Quay, San Miguel, Mora, Harding, Union, Colfax, Taos, Rio Arriba, Catron, Sierra, Grant, Los Alamos, San Juan, McKinley Counties, the hourly rates of pay shall be increased by thirty-seven and one-half (37½) percent of the journeyman rate of pay for Zone I.

CHANGE:

SOUNDMAN:

Zone I

Zone II

Zone III

TECHNICIAN

Zone 1

Zone 2

Zone 3

9.10	.40	.12	1/42
9.225	.40	.12	1/42
9.475	.40	.12	1/42
7.28	.40	.12	1/42
7.405	.40	.12	1/42
7.555	.40	.12	1/42

DECISION NO. NM76-4144 - Mod. #3

CHANGE
SOUND INSTALLERSZone 1
Zone 2
Zone 3

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Education and/or Appr. Tr.
\$5.92	.40	1%		1/4%
6.045	.40	1%		1/4%
6.295	.40	1%		1/4%

DECISION #PA76-3158 - Mod. # 2
(41 FR 15315 - April 9, 1976)Butler, Cambria, Erie, Fayette,
Mercer, Washington, Westmore-
land, Lawrence, Somerset,
Beaver, Allegheny, Armstrong,
Blair, Cameron, Centre, Clarion,
Clearfield, Crawford, Forest,
Greene, Indiana, McKean,
Venango, Warren, Bedford,
Jefferson, Clinton, Elk,
Franklin, Fulton, Huntingdon,
Mifflin & Potter Counties,
Pennsylvania

Add:

Line Construction:

For the following Counties:
Allegheny, Armstrong, Beaver,
Bedford, Blair, Cambria,
Centre, Clarion, Clearfield,
Fayette, Fulton, Greene,
Huntingdon, Indiana, Jeffers-
on, Somerset, Washington &
Westmoreland Cos., Pa.

Journeyman Lineman

Experienced Winch Truck Op.

2nd 1000 Hrs.

1st 1000 Hrs.

Experienced Truck Driver

2nd 1000 Hrs.

1st 1000 Hrs.

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Education and/or Appr. Tr.
\$11.32	.30	.113		.056
7.92	.30	.079		.039
7.73	.30	.077		.038
7.55	.30	.075		.037
7.36	.30	.074		.036
7.17	.30	.072		.035
6.98	.30	.071		.034

DECISION #PA76-3163 - Mod. # 1 (41 FR 19020 - May 7, 1976) Adams, Berks, Bradford, Carbon, Columbia, Cumberland, Dauphin, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycom- ing, Monroe, Montour, North- ampton, Northumberland, Perry, Pike, Schuylkill, Snyder, Sulli- van, Susquehanna, Tioga, Union, Wayne, Wyoming, and York Counties, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
Change: /					
Line Construction: Adams, Cumberland, Dauphin, Franklin, Juniata, Mifflin, Perry & York Counties, Pennsylvania	\$10.28 7.20 7.02 6.85 6.68 6.51 6.34 6.17 6.00 5.82	.30 .30 .30 .30 .30 .30 .30 .30 .30 .30	.102 .072 .070 .068 .066 .065 .063 .061 .060 .058		.051 .036 .035 .034 .033 .032 .031 .030 .030 .028
Journeyman Lineman Experienced Winch Truck 2nd 1000 Hrs. 1st 1000 Hrs. Experienced Truck Driver 2nd 1000 Hrs. 1st 1000 Hrs. Experienced Groundman 2nd 1000 Hrs. 1st 1000 Hrs.					
Easton, Northampton County, Pa. Line Construction: Journeyman Lineman Winch Truck Experienced 2nd 1000 Hours 1st 1000 Hours Truck Driver Experienced 2nd 1000 Hours 1st 1000 Hours Groundman Experienced 2nd 1000 Hrs. 1st 1000 Hrs.	11.64 8.15 7.95 7.76 7.57 7.37 7.18 6.98 6.79 6.60	.30 .30 .30 .30 .30 .30 .30 .30 .30 .30	.116 .081 .079 .077 .075 .073 .071 .069 .067 .066		.058 .040 .039 .038 .037 .036 .035 .034 .033 .033

DECISION # PA76-3163 - Mod. # 1, Cont'd. Line Construction (Cont'd.) Journeyman Lineman Experienced Winch Truck 2nd 1000 Hrs. 1st 1000 Hrs. Experienced Truck Driver 2nd 1000 Hrs. 1st 1000 Hrs. Experienced Groundman 2nd 1000 Hrs. 1st 1000 Hrs.	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
	\$10.93 7.65 7.47 7.29 7.10 6.92 6.74 6.56 6.38 6.19	.30 .30 .30 .30 .30 .30 .30 .30 .30 .30	.109 .076 .074 .072 .071 .069 .067 .065 .063 .061			.054 .038 .037 .036 .035 .034 .033 .032 .031 .030
DECISION #PA76-3169 - Mod. # 2 (41 FR 21133 - May 21, 1976) Bucks, Chester, Delaware, Montgomery & Philadelphia Counties, Pennsylvania ADD: Line Construction: Journeyman Lineman Experienced Winch Truck 2nd 1000 Hrs. Experienced Truck Driver 2nd 1000 Hrs. 1st 1000 Hrs. Groundman 2nd 1000 Hrs. 1st 1000 Hrs.	\$13.09 9.16 8.94 8.51 8.29 8.07 7.85 7.64 7.42	.30 .30 .30 .30 .30 .30 .30 .30 .30	.130 .091 .089 .085 .082 .080 .078 .076 .074			.065 .045 .044 .042 .041 .040 .039 .038 .037
DECISION #PA76-3180 - Mod. # 5 (41 FR 23922 - June 11, 1976) Luzerne County, Pennsylvania Change: Boilermakers Elevator Constructors Elevator Constructors Helpers Elevator Constructors Helpers (Prob.)	\$12.15 10.595 7.42 5.30	.65 .545 .545 5.30	1.00 .35 .35	47+ab 47+ab 47+ab		.02 .02 .02

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #PA76-3181 - Mod. #4 (41 FR 24858 - June 18, 1976) Schuylkill County, Pennsylvania					
Change: Asbestos Workers Boilermakers Electricians: North Manheim, South Manheim, West Brunswick, Wayne, Washington, Pottsville, Schuylkill Haven Twp.	\$10.31 12.15 10.69	.52 .65 .53	.50 1.00 1%		.01 .02 .03
Add: Electricians Twp. of North Union, East Union, West Mahony, (excluding Frackville Borough), Mahony, Delano, Kline, Rush, Ryan, Blythe, Schuylkill, Walker, Rahn, East Brunswick and West Penn. Twp.	10.57	.35	1%+.25	9	h
Footnote: g. Paid Holidays: July 4th, Labor Day, Thanksgiving Day and Good Friday. h. Employer shall contribute .12 per day per employee.					

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #TX76-4125 - Mod. #3 (41 FR 30563 - July 23, 1976) Bee, Kleberg & Nueces Counties, Texas					
Change: Carpenters: Carpenters Cement masons Ironworkers Soft floor layers	\$ 7.49 8.05 6.84 7.49	.27 .30 .55 .27	.30 .80 .30		.03 .04 .03
DECISION #TX76-4128 - Mod. #4 (41 FR 30566 - July 23, 1976) Wichita County, Texas					
Change: Laborers: Group 1 Group 2 Group 3 Group 4	4.775 4.90 5.025 5.275	.275 .275 .275 .275	.20 .20 .20 .20		
DECISION #TX76-4140 - Mod. #2 (41 FR 33184 - August 6, 1976) Bexar County, Texas					
Change: Asbestos workers Ironworkers Power Equipment Operators: Group 1 Group 2 Group 3 Group 4	9.88 7.60 8.32 7.44 6.27 6.03	.42 .55 .35 .35 .35 .35	.60 .80 .75 .75 .75 .75	.50	.08 .07

MODIFICATIONS P. 34.

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #TX76-4155 - Mod. #1 (41 FR 43645 - October 1, 1976) Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher & Wheeler Counties, Texas Change: Electricians	.40	1%			1/2%
DECISION #TX76-4157 - Mod. #1 (41 FR 43649 - October 1, 1976) Bell, Bosque, Coryell, Falls, Hill & McLennan Cos., Texas Change: Building Construction: Cement masons Ironworkers	.40 .55	.30 .60			.12
DECISION AUT76-5082 - Mod. #4 (41 FR 38740 - September 10, 1976) Statewide Utah Change: Rollformers Plasterers	.75 .50	\$1.00 .60	.50		.02 .01

MODIFICATIONS P. 33

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
DECISION #TX76-4151 - Mod. #2 (41 FR 42169 - September 24, 1976) Galveston & Harris Cos., Texas Change: Pipefitters: Harris County & that part of Galveston County west of the Trinity River That part of Galveston County east of the Trinity River: Commercial work up to \$50,000 Commercial work \$50,000 & over Plumbers: Galveston County: Commercial work up to \$50,000 Commercial work \$50,000 & over	.45 .445 .445 .445 .445 .445	.60 .50 .50 .50 .50 .50			.045 .03 .03 .03 .03 .03
DECISION #TX76-4152 - Mod. #2 (41 FR 42152 - September 24, 1976) Travis County, Texas Change: Bricklayers & stonemasons Cement masons Ironworkers Laborers: Group 1 Group 2 Group 3 Group 4	.45 .40 .55 .275 .275 5.355 5.505 5.60 5.755	.30 .30 .80 .30 .30 .30 .30 .30			.04 .12 .02 .02 .02 .02 .02 .02

SUPERSEDEAS DECISION

STATE: Georgia
 COUNTY: Richmond
 DECISION NUMBER: GA76-1119
 DATE: Date of Publication
 Supersedes Decision No.: GA76-1039 dated September 3, 1976 in 41 FR-37474
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories.)

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
Asbestos workers	8.05	.35				.02
Bricklayers	7.75					
Carpenters	7.90					.01
Millwrights	8.20					.01
Cement masons	7.35					% of 1%
Electricians	8.71	.30	18+.20	2%-a+b		.005
Elevator Constructors	7.06	.395	.26	2%-a+b		.005
Elevator Constructors' helpers	4.94	.395	.26			
Elevator Constructors' helpers (prob.)	3.53					
Glaziers	6.15	.30	.15			
Ironworkers:						
Structural, Ornamental, & Reinforcing	8.85	.45	.60			.03
Laborers:						
Unskilled	4.10	.15				
Air tool (jackhammer, vibrator)	4.25	.15				
Mason tenders	4.25	.15				
Mortar mixers	4.25	.15				
Pipelayers (concrete, clay)	4.25	.15				
Plasterers' tenders	4.25	.15				
Lathers	3.00					
Painters:						
Brush & roller	6.85	.30	.15			
Steel & spray	7.85	.30	.15			
Piledrivermen	8.20					.01
Plasterers	7.75					c
Plumbers & steamfitters	8.73	.50	.45			
Roofers	4.00					
Sheet metal workers	8.10					.04
Soft floor layers	6.05					.01
Sprinkler fitters	10.10	.60	.90			.08
Stonemasons	7.75					
Terrazzo workers	7.75					
Tile setters	7.75					
Truck drivers	3.70					
Welders - rate for craft.						

GA76-1119 - (Cont'd)

BUILDING CONSTRUCTIONPOWER EQUIPMENT OPERATORS:

GROUP I	GROUP II	GROUP III	GROUP IV
8.93	7.66	7.04	5.41

GROUP I: Cranes, derricks, draglines, sidebooms, cherry pickers, mechanics, Pile-drivers, crawlers, backhoe, (3/4 cy. & up), concrete pumps, clam shell, drill operators, concrete mixers plant locomotive, two drum hoist, shovels, generators, (250 KW & up), and hydraulic cranes over 10 tons.

GROUP II: Bulldozers, hydraulic boom truck 10 tons and under, scrapers, endloaders, fork tractors, one drum hoist, air compressor 600 FM & over, motor graders, tuggers, rollers, plain tractors, firemen, rubber tired backhoe less than 3/4 cy, push dozer, trenching machine.

GROUP III: Oiler, pump operator (over 4" dia.), small backhoe, air compressors under 600 CFM

GROUP IV: Mechanics helpers, serving welding machines, pumps up to 4" in Dia.

PAID HOLIDAYS:

A-New Year's Day, B-Memorial Day, C-Independence Day, D-Labor, E-Thanksgiving Day, F-Christmas Day,

FOOTNOTES:

- Holidays: A through F.
- Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.
- Employer contributes \$2.00 per month for each employee to App. Tr. fund not to exceed \$50.00.

SUPERSEDES DECISION

STATE: Kentucky
 DECISION NUMBER: KY76-1118
 Supersedes Decision No.: KY76-1106 dated September 17, 1976 in 41 FR-40367
 DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

COUNTIES: *See below

DATE: Date of Publication

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
*Counties: Caldwell, Christian, Crittenden, Livingston, Logan, Lyon, Todd and Trigg Counties.						
Air conditioning & heating mechanics	4.53					
Bricklayers	6.09					
Carpenters	4.11					
Cement masons	4.21					
Drywall finishers & hangers	4.00					
Electricians	4.39					
Insulation installer	3.79					
Laborers						
Laborers	2.89					
Hod carriers	3.43					
Painters	3.99					
Plumbers & pipefitters	4.33					
Roofers	4.07					
Sheet metal workers	4.50					
Soft floor layers	4.00					
Tile setters	4.89					
Truck drivers	3.25					
Welders - rate for craft.						
POWER EQUIPMENT OPERATORS:						
Backhoe	4.50					
Bulldozer	5.92					

SUPERSEDES DECISION

STATE: Iowa
 COUNTY: Scott
 DECISION NO.: IA76-14172
 DATE: Date of Publication
 Supersedes Decision No. IA76-14065, dated March 5, 1976, in 41 FR 9790.
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
ASBESTOS WORKERS	\$10.60	.35	.60		.10
BOILERMAKERS	10.30	.85	1.00		.02
BRICKLAYERS & STONEMASONS	9.40	.35	.50		.03
CARPENTERS:					
Carpenters	9.71	.45	.60		.04
Piledrivers	9.96	.45	.60		.04
Millwrights	9.30	.60	.70		.04
CEMENT MASONS	9.52	.50	.60		.04
ELECTRICIANS:					
Electricians	10.05	.45	5.5%		.03
Cable splicers	10.30	.45	5.5%		.03
ELEVATOR CONSTRUCTORS	9.66	.495	.32	1/6-a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.495	.32	1/6-a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.75	.55	1.00		.07
IRONWORKERS	11.22	.50	.375		
LABORERS:					
GROUP 1 - Carpenter tenders; Common laborers; mason tenders	8.42	.40	.60		.035
GROUP 2 - Concrete saw; Pipe-setters; Plumber-laborer; Power tools (barco-vibrator-mortar mixers-dynamite handlers-burner on dismantling work to be junk-ed); Prime movers; Sand points	8.67	.40	.60		.035
GROUP 3 - Gaissons, after 6' depth; Dynamite men; Tunnel miners	8.92	.40	.60		.035
MARBLE SETTERS	9.20		.50		
PAINTERS:					
Brush, rollers	8.77	.45	.60		.12
Spray; structural steel	9.02	.45	.60		.12
PLASTERERS	10.90				
PLUMBERS & STEAMFITTERS	10.31	.60	.60		.10
ROOFERS	11.20		.40		.10
SHEET METAL WORKERS	9.25	.45	.40		.10
SHEET FLOOR LAYERS	9.71	.45	.60		.04
SPRINKLER FITTERS	11.23	.60	.90		.08

DECISION NO. IA76-14172

BUILDING CONSTRUCTION

TERRAZZO WORKERS

TILE SETTERS
 WELDERS - receive rate prescribed for craft performing operation to which welding is incidental

FOOTNOTE:

a - Employer contributes 4% of basic hourly rate for over 5 years service and 2% of basic hourly rate for 6 months to 5 years service as Vacation Pay Credit. Six Paid Holidays A thru F

PAID HOLIDAYS

A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Education and/or Appr. Tr.
\$ 9.20		.50		
9.20		.50		

NOTICES

DECISION NO. IA76-1172Page 3BUILDING, HEAVY & HIGHWAY
CONSTRUCTION

POWER EQUIPMENT OPERATORS

GROUP 1
GROUP 2
GROUP 3

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
\$ 9.45	.40	.50		.08
8.05	.40	.50		.08
7.00	.40	.50		.08

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - All hoists or steel erecting equipment; Crane, Shovel, Clamshell, Drag-line, Backhoe, Derrick, Tower Crane, Caisson, Concrete Spreader (servicing 2 pavers), Asphalt Spreader, Asphalt Mixer Plant Engineer, Dipper Dredge Operator, Dipper Dredge Grappleman, Dual Purpose Truck (boom or winch), Locomotive Engineer, Qualifier, Pile Driver, Boom Tractor, Stationary, Portable or Floating Mixing Plant, Trenching Machine (over 40 HP), Building Hoist (2 drum), Hot Paint Mixing Machine, Cleaning & Priming Machine, Backfiller (throw bucket), Locomotive Engineer, Qualifier, Welder, Tow or Push Boat, Concrete Paver, Searan Trav-L-Plant or similar machines, CHL Autograder or similar machines, Slip Form Paver, Caisson Lifting Machine, Asphalt Heater-Planer Unit, Hydraulic Granes, Mine Hoists; Athey, Barber-Greene, Euclid or Haisc Loader, Asphalt Pug Mill, Pileman and Driver, Concrete Pump, Concrete Spreader (servicing 1 Paver), Bulldozer, Endloader, Log Chippers or similar machines, Elevating Grader, Group Equipment Greaser, Lefournepull & similar machines, DH-10, Hyster Winch & similar machines, Motor Patrol, Power Blade, Push Cat, Tractor Pulling Elevating Grader or Power Blade, Tractor Operating Scoop or Scraper, Jaeger Mix & Place Machine, Pipe Bending Machine, Flexplane or similar machines, Automatic Trenching Machine, Automatic Cement & Gravel Batch Plants (1 stop cut-up), Searan Pulvi-Mixer or similar machines, Blaster Self-propelled Rotary Drill or similar machines, Work Boat, Combination Concrete Finishing Machine & Ploot, Self-propelled Sheep Foot Roller or Compactor (used on conjunction with a Grading Spread), Asphalt Spreader Screed Operator, Apaco Spreader or similar machines, Slusher, Forklift (over 6000 lbs. cap. or working at heights above 28 ft.), Concrete Compactors

GROUP 2 - Asphalt Rooster, Pileman & Pump Operator at Asphalt Plant, Mud Jack, Under-ground Piling Machine, Concrete Finishing Machine, Form Grader with Roller on Earth, Mixers (3 bag to 165), Power Operated Hull Ploot, Tractor without Paver Attachments, Rope Tact agitator rotor), Rope Chop Machine, Distributor (back end), Straddle Carrier, Portable Machine Pileman, Hydro-lifter, Power Winch on Paving Work, Self-propelled Roller or Compactor (other than provided for above), Pump Operator (more than 1 well point pump), Portable Crusher Operator, Trench Machine (under 40 HP), Power Subgrader (on form) or similar machines, Forklift (6000 lbs. or less cap.), Gypsum Pump, Conveyor over 20 HP, Fuller Canyon Cement Pump or similar machines; Air Compressor (275 cfm or over), Driver on Truck Crane or similar machines, Light Plant, Mixers (1 or 2 bag), Power Batching Machine (Cement Auser or Conveyor), Roller (Engineer or Fireman), Water Pumps, Mechanical Drums, Automatic Cement and Gravel Batch Plants (2 or 3 stop cut-up), Small Rubber-tired Tractors (not including backhoes or end loaders), Self-propelled curing machine

GROUP 3 - Oiler, Mechanic's Helper, Mechanical Heater (other than steam boiler), Belt Machine, Small Outboard Motor Boat, Engine Driven Holding Machine

DECISION NO. IA76-1172Page 4BUILDING, HEAVY & HIGHWAY
CONSTRUCTION

TRUCK DRIVERS

GROUP 1
GROUP 2
GROUP 3
GROUP 4

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
\$ 6.35	.35	10.00p/w		
6.55	.35	10.00p/w		
6.75	.35	10.00p/w		
6.95	.35	10.00p/w		

TRUCK DRIVERS CLASSIFICATION DEFINITIONS

GROUP 1 - Drivers on 4-wheel trucks, dumpsters, scoopmobile 5 cu. yds. & under or less than 7 1/2 tons, mixer trucks 3 cu. yds. & under, air compressors & welding machines, including those pulled by separate units, batch trucks, wet or dry, 2-342 batches or less, truck drivers' helpers, warehousemen, mechanics' helpers, greasers, truck drivers on dumpsters or similar dumpsters, mounted on 4-wheel trucks, rates 2 cu. yds. or less, and small pallet type fork lift operator and driver on pilot trucks

GROUP 2 - Drivers on 4-wheel trucks over 5 cu. yds. or more than 7 1/2 tons, 6-wheel trucks, Kochring or similar dumpsters, batch trucks, euclids, tourmalines, hug-bottom dumps, tourmalines, tourmalines or similar equipment when used for transportation purposes under 9 cu. yds. or less than 13 1/2 tons, tandem & non-trailer service trucks, mixer trucks over 3 cu. yds. & including 6 1/2 cu. yds. fork lift, 4-wheel A-frame trucks when used for transportation purposes, 4-wheel winch trucks, paver breakers, batch trucks wet or dry - over 2 up to & including 4-342 batches

GROUP 3 - Drivers on heavy equipment 9 cu. yds. or 13 1/2 tons and/or trucks licensed for 50,000 lbs. gross up to & including 16 cu. yds. or 24 ton, such as Kochring or similar dumpsters, batch trucks, semi-trailer water trucks, euclids, hug-bottom dumps, tourmalines, tourmalines, tractor-trailers, tandem A-frames, tandem winch trucks, hydro-lift trucks or similar equipment when used for transportation purposes, mixers over 6 1/2 cu. yds., batch trucks wet or dry over 4-342 batches, single axle lobby trailers, 6-wheel pole trailers & two-man oil distributors

GROUP 4 - Drivers on heavy equipment over 16 cu. yds. or 24 tons, such as Kochring or similar dumpsters, batch trucks, euclids, hug-bottom dumps, tourmalines, tourmalines or similar equipment when used for transportation purposes and drivers on oil distributors, 1 man operation pole trailers over 6-wheels, water pull, lobby trailers, tandem axles or more no weight limitation, diesel and/or heavy equipment mechanics

DECISION NO. IA76-1172

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
HEAVY & HIGHWAY CONSTRUCTION						
CARPENTERS	\$ 9.83	.45	.60			.04
CEMENT MASONS	8.77	.40	.60			
LABORERS:						
GROUP 1	8.42	.40	.60			.035
GROUP 2	8.67	.40	.60			.035
GROUP 3	8.92	.40	.60			.035

LABORERS CLASSIFICATION DEFINITIONS

GROUP 1 - Common laborers; Carpenter tenders; Rod and Chain Man; Flagman; Gravel Box Men, Dumpmen and spotters; Form Handlers; Material Handlers; Fencing Laborers; Cleaning Lumber Material Checkers; Dispatchers; Unloading explosives; Laying of Sod; Planting of Trees; Removal of Trees; Asphalt Plant Laborers; Wrecking Laborers; Writer of Scale Tickets, Sealemen, Permanent, Portable or Temporary Plant; Deck Hand

GROUP 2 - Laying and jointing of telephone conduit; Barco and Jackhammer Operator; Mechanical tamper and air spade; Wagon and Hand Drill; Vibrator Operator; Operator on Power Tools used under the jurisdiction of Laborers; Cement Dumpers; Puddler; Form setter helper; Power and Hand Saw (when cleaning timber); Center strip; Reinforcing in concrete; Wire mesh; Concrete Saw; Mortar Mixer; Prime mover or any mechanical device taking the place of concrete buggy or wheelbarrow, Sand Point Setter; Asphalt Kettlemen; Mastic Asphalt Mixer or other preparations used on joints; Sheeting Hammer Drivers (2 men); Back-up Man or Joint Man with pipelayer, Laborers in ditch or tunnel on sewer and water main and telephone conduit; Gas Distribution Men; Pipe setter on laterals, Drain Files, Culvert Pipe, and Storm Sewer Connections to Catch Basins, Manholes or Main Line, Handling of materials treated with oil, creosote asphalt and/or any foreign material harmful to skin or clothing; Chloride Handlers; The unloading and laborers with steel workers and re-bars; Tunnel Helpers in free air; Batch Dumpers; Tank Cleaners; Cofferdam Workers; Bankmen on Floating Plant

GROUP 3 - String or Wireline (1 man); Head Form Setter; Dynamite Man; Asphalt Baker; Tunnel Miner; Pipelayer on sewer and water main; Gunnite Nozzlemen; Welders, Cutters, Burners and Torchman; Screedman on Asphalt Pavers; Luteman; Curb Asphalt Machine Operator; Laser Beam Operator; Concrete Burning Machine Operator; Coving Machine Operator; Head Grade Man

SUPERSEDES DECISION

STATE: Iowa COUNTY: Story (City of Ames and abutting municipalities)

DECISION NO.: IA76-1173
 Supersedes Decision No. IA76-1062, dated February 27, 1976, in EL FR 8691
 DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION					
ASBESTOS WORKERS	\$10.20	.63	.685		.02
ROILERMAKERS	10.30	.85	1.00		
BRICKLAYERS & STONEMASONS	10.04		.20		
CARPENTERS:					
Carpenters; Pile-drivers	9.20		.15		
Millwrights	9.55		.15		
CEMENT MASONS	9.93				
ELECTRICIANS	11.02	.10	1.44.60		1%
ELEVATOR CONSTRUCTORS	10.31	.545	.35	1.44a	.02
ELEVATOR CONSTRUCTORS' HELPERS	7.04JR	.545	.35	1.44a	.02
ELEVATOR CONSTRUCTORS' HELPERS (FROM .)					
GLAZIERS	5.04JR				
IRONWORKERS	8.81	.15	.25	4.35%	.005
LABORERS:	9.525	.10	.745		.025
GROUP 1 - Common laborers	7.21	.30	.05		
GROUP 2 - Mortar, plaster & grout mixers; Jackhammer; Paving breaker; Rock drill; Vibrator operator; Motor buggy operators while pouring concrete					
GROUP 3 - Plasterers' tenders	7.36	.30	.05		
GROUP 4 - Concrete saw man	7.41	.30	.05		
GROUP 5 - Sandblaster	7.46	.30	.05		
GROUP 6 - Dipping of or work within a shaft entering into natural underground cavities or caverns and work within the said shaft or caverns	7.56	.30	.05		
LATHERS	7.71	.30	.05		
LINE CONSTRUCTION:	9.975				
GROUP 1 - Cable splicers; Linemen; Welder; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures					
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	8.75	.35	12	b	1/2%
	5.69	.35	12	b	1/2%

DECISION NO. IA76-4173

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
BUILDING, WATER TREATMENT PLANTS & SEWAGE DISPOSAL PLANTS CONSTRUCTION					
LINE CONSTRUCTION (CONT'D):					
GROUP 3 - Groundman; Truck driver (with winch)	\$ 5.86	.35	12	b	1/2%
GROUP 4 - Blaster; Special equipment Operations (hole digging machines, all tractors, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	7.00	.35	12	b	1/2%
GROUP 5 - Groundman-1st 6 mos.	4.81	.35	12	b	1/2%
PAINTERS:					
GROUP 1 - Brush; Roller; Dry-wall finisher	9.61		.20		.03
GROUP 2 - Paperhangers	9.86		.20		.03
GROUP 3 - Spray; Structural steel; Sandblasting	10.11		.20		.03
GROUP 4 - Work over 10' ft.; Scaff	10.71		.20		.03
PLASTERERS	9.975				
PLASTERERS & STAFFERS	10.65	.55	.75		.10
ROOFERS	8.93		.35		.07
SHEET METAL WORKERS	10.33	.50	.60		.04
SOFT FLOOR LAYERS	9.035	.30	.50		.07
SPRINKLER FITTERS	11.23	.60	.90		.00
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental					
FOOTNOTE					
a - Employer contributes 4% of the basic hourly rate for 5 years service and 2% of the basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit. Six Paid Holidays A thru F					
b - Seven Paid Holidays A thru G					
PAID HOLIDAYS					
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day; G-Friday after Thanksgiving					

DECISION NO. IA76-4473

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BUILDING, WATER TREATMENT PLANTS
& SEWAGE DISPOSAL PLANTS CON-
STRUCTION

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	\$9.56	.50	.50		.05
GROUP 2	9.135	.50	.50		.05
GROUP 3	8.59	.50	.50		.05
GROUP 4	8.265	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes, including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Piledrivers and extractors; Caisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (tavernmen) GROUP 2 - 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economies; Plant mixers; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (tounapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push cat; Truck cranes and cherry pickers (under 12½ tons); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pumps; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gonaco, G-450 or equal) GROUP 3 - Tractors (under 35 HP) with or without attachments; Endloaders (under 35 HP) with or without attachments; Air compressors (one or a combination of 250 CFM or more); Pumps 3" or over; Welding machine 600 amps or combination thereof; Conveyors; Fireman (boiler); Generator (75 KW & over); Fork lifts (other than above Group No. 2); Gunite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8" GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

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HEAVY & HIGHWAY CONSTRUCTION

CARPENTERS & PILEDRIEVERS

CEMENT MASONS

LABORERS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
	\$ 7.30	.31			
	6.86				
Group 1	6.60	.30	.10		
Group 2	6.35	.30	.10		
Group 3	6.10	.30	.10		
Group 4	5.95	.30	.10		
Group 5	5.85	.30	.10		

LABORERS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and Blaster; Pipe layer, sewer, water, telephone conduits, etc.; Sewer utility man; Gunite nozzle men; Diamond and core drills, powered by air; All work performed by Laborers working from a bos'n chair, swing stage, life belt, cap line, or block and tackle; Drill operators of air tracs, wagon drills and similar drills GROUP 2 - Tree climber; Form setters; Rakers; Box tenders; Asphalt curb machines; Potmen, not mechanical; Bull float, hand operated; Scalers; Timbermen; Underpinning and shoring; Caissons over 12 ft.; Grade checkers and cutting torches on demolition work GROUP 3 - Powder buggyman; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and joiner and painter; Timber and chain saw man; Mechanical grouters; Automatic concrete power curbing machines; Stresser of stretcherman on post-tension or pre-stressed concrete on or off the job; Powderman helpers GROUP 4 - Form tamper; Air, gas and electric tool operators, vibrators, barco hammers, paving breakers, spaders, tampers, electric drills, hammers and jack hammers; Tree groundmen; Chuck tenders; Drill helpers, tool room men and checkers; Sand blaster helper; Concrete processing material and monitors; Cement finishers helpers; Stringman on paving work GROUP 5 - Fence erectors; Handling and placing of metal mesh, dozel bars, reinforcing bars and chairs; Dumpmen and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common laborer; Rodmen; Tending to carpenters; Hot asphalt labor

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HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
POWER EQUIPMENT OPERATORS:						
Group 1	\$ 7.30	.40	.40			.03
Group 2	6.90	.40	.40			.03
Group 3	6.50	.40	.40			.03
TRUCK DRIVERS	6.34	.35				

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power Shovel, Crane, Backhoe and Dragline; Central Mix Plant Operator; Dredge Engineer; Dredge Foreman; Paving or Spreader Operator; Hoisting Engineer (Steel Erection); Motor Patrol; Piledriver Machine; Concrete Mixer; Tow or Push Boat Operator; Master Mechanic; CHL Paver; CHL Subgrader (or equivalent); Asphalt Plant; Front Endloader; Scraper; Bulldozer; Push Cat; Tractor Pulling Scraper; Sideboom Tractor; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer Unit; Asphalt Roller; Self-Propelled Elevating Grader or similar machine; Spreader (Concrete); Horizontal Boring Machine; Mechanics-Holders; Group Equipment Greaser; Concrete Pump; Self-Propelled Curb Machine

GROUP 2 - Concrete Curb Breaker; Concrete Widening Machine; Paving Breaker; Barber-Greene, Hais Loader or similar machine; Tractor Pulling Ripper, Misc; Sheepsfoot or Flat Roller; Self-Propelled Sheepsfoot Roller; Self-Propelled Roller (other than asphalt); Distributor; Screening and Washing Plant; Self-Propelled Vibrating Compactor; Trenching Machine (other than above); Steel Placing Machine; Conveyor; Finishing Machine (on concrete); Flexplane; Bull Float; Form Grader

GROUP 3 - Roller; Mechanical Broom; Oiler or Mechanics Helper or Group Greaser Helper; Farm-type Tractor (pulling disc, harrow or roller); Welding Machine; Pump Operator (other than dredge); Boom and Winch Truck; Compressor; Tank Car Heater (combination boiler and booster); Pumps on Well Points and Deep Wells for De-watering; Truck Crane Combination Driver-Operator; Concrete Curbing Machine; Safety Boat Operator; Batch Plant (dry)

SUPERSEDES DECISION

STATE: Iowa
 COUNTY: Webster (City of Fort Dodge)
 DECISION NO.: IA76-4174
 DATE: Date of Publication
 Supersedes Decision No. IA76-4063, dated February 27, 1976, in 41 FR 8694
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Education and/or Appr. Tr.
BUILDING, WATER TREATMENT PLANTS & WASTE DISPOSAL PLANTS CONSTRUCTION				
ASBESTOS WORKERS	\$ 10.20			
BOILERMAKERS	10.30	.685		.02
BRICKLAYERS & STONEMASONS	8.97	1.00		.01
CARPENTERS:		.20		
Carpenters; Pile/Driven	8.50			
Millwrights	8.75			
CEMENT MASONS	6.50			
ELECTRICIANS	9.80			
ELEVATOR CONSTRUCTORS	10.31	1%		1%
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.35	47%a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR	.35	47%a	.02
IRONWORKERS	9.525	.745		.025
LABORERS:				
GROUP 1 - Common laborers	4.85			
GROUP 2 - Machine & air tool operators	5.10			
GROUP 3 - Mortar mixers	5.05			
LATHERS	9.975			
LINE CONSTRUCTION:				
GROUP 1 - Cable splicers; Linemen				
Welders; Technicians; All rigs setting assembled "H" fixtures and steel transmission structures	8.75	1%	b	1 1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.69	1%	b	1 1/2%
GROUP 3 - Groundman; Truck driver (with winch)	5.86	1%	b	1 1/2%
GROUP 4 - Blaster; Special equipment operations (hole digging machines, all tractors, transmission line pole hauling & setting equipment other than assembled "H" fixtures)	7.00	1%	b	1 1/2%
GROUP 5 - Groundman-lst 6 mos.	4.81	1%	b	1 1/2%

DECISION NO. IA76-4174

BUILDING, WATER TREATMENT PLANTS & WASTE DISPOSAL PLANTS CONSTRUCTION

PAINTERS:

GROUP 1 - Brush; Drywall

finishers; Rollers

GROUP 2 - Paperhangers

GROUP 3 - Spray

PLUMBERS & STEAMFITTERS

ROOFERS

SPRINKLER FITTERS

WELDERS - receive rate prescribed

for craft performing operation

to which welding is incidental.

FOOTNOTE

a - Employer contributes 4% of

the basic hourly rate for

over 5 years service and 2%

of basic hourly rate for 6

months to 5 years of service

as Vacation Pay Credit.

Six Paid Holidays A thru F

b - Seven Paid Holidays A thru G

PAID HOLIDAYS

A-New Year's Day; B-Memorial Day;

C-Independence Day; D-Labor Day;

E-Thanksgiving Day; F-Christmas

Day; G-Friday after Thanksgiving

BUILDING, WATER TREATMENT PLANTS
& SEWAGE DISPOSAL PLANTS CON-
STRUCTION

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
GROUP 1	\$ 9.56	.50	.50		.05
GROUP 2	9.435	.50	.50		.05
GROUP 3	8.59	.50	.50		.05
GROUP 4	8.265	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes, including those being used as backhoe, derrick, clamshell, etc.; Tower crane; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Pile drivers and extractors; Gaisson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotives; Dredge (leverman) heavy machinery; 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Econobiles; Plant mixers; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (coursing, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push cat; Truck cranes and cherry pickers (under 12½ ton); Concrete mixers (1 yard & over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Deviating pump; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Goraco, G-450 or equal).

GROUP 2 - Tractors (under 35 HP) with or without attachments; Endloader (under 35 HP) with or without attachments; Air compressors (one or a combination of 250 cfm or more); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Fireman (boiler); Generator (75 KW and over); Fork lifts (other than above Group No. 2); Gummite machines; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machines under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

HEAVY & HIGHWAY CONSTRUCTION

CARPENTERS & PILEDRIVERMEN

CEMENT MASONS

LABORERS:

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
	\$ 6.25	.31			
	6.90				
Group 1	5.15	.30	.10		
Group 2	4.90	.30	.10		
Group 3	4.65	.30	.10		
Group 4	4.50	.30	.10		
Group 5	4.40	.30	.10		

LABORERS (PAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Sandblasters; Powderman and blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Gummite nozzleman; Dispond and core drills, powered by air; All work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line or block and tackle; Drill operators of air tracs, wagon drills and similar drills.

GROUP 2 - Tree climber; Form setters; Rollers; Boxenders; Asphalt curb machines; Forman (not mechanical); Bull float, hand operated; Scales; Ticker; Underpinning and shoring; Gaissons over 12 ft.; Grade checker and cutting torches on demolition work.

GROUP 3 - Tower buggymen; Concrete and paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker and joiner and painter; Ticker and chain saw man; Mechanical grouter; Automatic concrete power curbing machines; Streater or strachman on post-tension or pre-stressed concrete on or off the job; Powderman helpers.

GROUP 4 - Form tender; Air, gas and electric tool operators; vibrator, barco hammer, paving bracket, spader, tamper, electric drills, hammer and jack hammer; Tree groundman; Chuck tender; Drill helpers, tool room man and checker; Sandblaster helper; Concrete processing material and monitors; Cement finishers helpers; Stringman on paving work.

GROUP 5 - Fence erectors; Handling and placing of retail mesh, doval bars, reinforcing bars and chairs; Durpran and spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching and planting of trees, shrubs and flowers; Water boy; Common laborer; Rodman; Tending to carpenters; Hot asphalt labor.

DECISION NO. LA76-4174

	Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
		H & W	Pensions	Vacation		
HEAVY & HIGHWAY CONSTRUCTION						
POWER EQUIPMENT OPERATORS:						
Group 1	\$ 7.30	.40	.40			.03
Group 2	6.90	.40	.40			.03
Group 3	6.50	.40	.40			.03
TRUCK DRIVERS	5.84	.35				

POWER EQUIPMENT OPERATORS (HEAVY & HIGHWAY CONSTRUCTION) CLASSIFICATION DEFINITIONS

GROUP 1 - Power Shovel, Crane, Backhoe and Dragline; Central Mix Plant Operator; Dredge Engineer; Dredge Foreman; Paver or Spreader Operator; Hoisting Engineer (Steel Erection); Motor Patrol; Piledriver Machine; Concrete Mixer; Tow or Push Boat Operator; Master Mechanic; C.M.I. Paver; C.M.I. Subgrader (or equivalent); Asphalt Plant; Front Endloader; Scraper; Bulldozer; Push cat; Tractor pulling Scraper; Sideboom Tractor; Churn or Rotary Drill; Trenching Machine (Cleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer Unit; Asphalt Roller; Self-Propelled Elevating Grader or similar machine; Spreader (Concrete); Horizontal Boring Machine; Mechanics-Welders; Group Equipment Greaser; Concrete Pump; Self-Propelled Curb Machine

GROUP 2 - Concrete Curb Breaker; Concrete Widening Machine; Paving Breaker; Barber-Greene, Hays Loader or similar machine; Tractor pulling Ripper, Disc, Sheepfoot or Flat Roller; Self-Propelled Sheepfoot Roller; Self-Propelled Roller (other than asphalt); Distributor; Screening and Washing Plant; Self-Propelled Vibrator Compactor; Trenching Machine (other than above); Steel Placing Machine; Conveyor; Finishing Machine (on concrete); Flexplane; Bull Float; Form Grader

GROUP 3 - Boiler; Mechanical Broom; Oil or Mechanics Helper; Group Greaser Helper; Farm-type Tractor (pulling disc, harrow or roller); Welding Machine; Pump Operator (other than dredge); Boom and Winch Truck; Compressor; Tank Car Heater (combination boiler and booster); Pump on Well Points and Deep Wells for Dewatering; Truck Crane Combination Driver-Officer; Concrete Curb Machine; Safety Boat Operator; Batch Plant (Dry)

DECISION NO. IA76-4175

SUPERSEDES DECISION

STATE: Iowa
 COUNTY: Woodbury (City of Sioux City and abutting municipalities)
 DATE: Date of Publication
 DECISION NO.: IA76-4175
 SUPERSEDES Decision No. IA76-4064, dated February 27, 1976, in 41 FR 8697
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories)

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
ASBESTOS WORKERS				
BOILERMAKERS	\$ 9.84	.50	.75	.02
BRICKLAYERS & STONEMASONS	10.30	.85	1.00	.01
CARPENTERS:	10.06	.20	.20	.01
Carpenters: Pile-driverman	7.00	.30	.25	.01
Millwrights	7.30	.30	.25	.01
CEMENT MASONS	8.255	.40	1%	1%
ELECTRICIANS	10.56	.495	.32	.02
ELEVATOR CONSTRUCTORS	8.84	.495	.32	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR			
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR			
GLAZIERS	6.95	.50	.30	.045
IRONWORKERS	9.31	.62	.275	.25
LABORERS:	6.835			
GROUP 1 - Common laborers				
GROUP 2 - Mortar mixer; Plasterers' mixers; Air tool operators; Mechanical tamers; Concrete saw; Gumite nozzle; Chain saw; Wrecking torch; Sandpot and blasting	6.985	.62	.275	.25
LATHERS	8.50			
LINE CONSTRUCTION:				
GROUP 1 - Cable splicers; Linemen; Welder; Technicians; All rig setting assembled "in" fixtures and steel transmission structures	8.75	.35	1%	1/2%
GROUP 2 - Groundman; Truck driver (without winch); Experienced (not less than 6 months)	5.69	.35	1%	1/2%
GROUP 3 - Groundman; Truck driver (with winch)	5.86	.35	1%	1/2%
GROUP 4 - Plaster; Special equipment operations (hole digging machine, all tractors, transmission line pole hauling & setting equipment other than assembled "in" fixtures)	7.00	.35	1%	1/2%
GROUP 5 - Groundman-let 6 mos.	4.81	.35	1%	1/2%
MANULE SPITTERS	10.06	.20	.20	.01

Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
	H & W	Pensions	Vacation	
PAINTERS:				
GROUP 1 - Brush	\$ 8.25	.65	.45	
GROUP 2 - Spray; All siding work; All work higher than 40 ft. - scaffolds, jacks, ladders, etc.; Pressure roller, sandblasting; Structural steel over 25 ft.	8.75	.65	.45	
PLASTERERS & STEAMPITTERS	8.50	.74	.55	.10
ROOFERS:	9.32			
Roofers	8.06			
Kettlemen	7.82			
SHEET METAL WORKERS	8.62	.35	.25	.08
SPRINKLER FITTERS	11.23	.60	.90	.01
TERAZZO WORKERS	10.06		.20	
TILE SETTERS	7.20			
TRUCK DRIVERS	5.49	.37	.20	.02
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental				
FOOTNOTE				
a - Employer contributes 4% of basic hourly rate for over 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit; Six Paid Holidays A thru F				
b - Seven Paid Holidays A thru G				
PAID HOLIDAYS				
A-New Year's Day; D-Memorial Day; C-Independence Day; B-Labor Day; E-Thanksgiving Day; F-Christmas Day; G-Friday after Thanksgiving				

DECISION NO. 1A76-4175

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	\$ 9.085	.50	.50		.05
GROUP 2	8.955	.50	.50		.05
GROUP 3	8.115	.50	.50		.05
GROUP 4	7.79	.50	.50		.05

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Cranes including those being used as backhoe, dragline, clamshell, etc.; Tower cranes; Truck cranes and cherry pickers 12½ ton & over rated capacity; Derricks; Filledrivers and extractors; Catasson rigs; Side boom and winch truck used for erection of structural steel and moving and setting of heavy machinery; 3 drum hoist; Welders; Mechanics; Locomotive; Dredge (Lowermen)

GROUP 2 - 1 and 2 drum hoists; Air and electric tuggers (on power plants or setting steel or grating); Economobiles; Plant mixer; Farm type tractors (with loaders, backhoes, attachments, etc.); Scrapers (tounapull, etc.); Endloaders; Dredge (engineer); Side boom and winch truck other than Group No. 1; Motor patrol; Bulldozers; Push cat; Truck cranes and cherry pickers (under 12½ ton); Concrete mixers (1 yard and over); Ditching machine (8" and over); Fork lifts (on steel erection and machinery moving or hoisting above one complete story); Concrete pump; Dewatering pump; Temporary hoist cage operated; Second man on locomotive; Vibrating concrete spreader (Gomaco, C-450 or equal)

GROUP 3 - Tractors (under 35 HP) with or without attachments; Endloaders (under 35 HP) with or without attachments; Air compressors (one or a combination of 250 CFM or more); Pumps 3" or over; Welding machines 600 amps or combination thereof; Conveyors; Fireman (Boiler); Generator (75 KW and over); Fork lifts (Other than above Group No. 2); Gunnite machine; Self-propelled rollers; Stump chippers; Self-propelled tampers; Air and electric tuggers (other than above); Ditching machine under 8"

GROUP 4 - Oilers; Mechanical heaters; Truck crane drivers; Permanent elevators

SUPERSEDEAS DECISION

STATE: Nebraska

COUNTY: Lancaster

DECISION NUMBER: NE76-4178

DATE: Date of Publication

Supersedeas Decision No. NE75-4157 dated September 12, 1975 in 41 FR 42502
 DESCRIPTION OF WORK: Residential construction consisting of single family
 homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			Education and/or Appr. Tr.
		H & W	Pensions	Vacation	
BRICKLAYERS	\$6.50				
CARPENTERS	5.59				
CEMENT MASON	6.18				
DRYWALL FINISHERS	5.20				
ELECTRICIANS	6.80				
IRONWORKERS, Structural	5.00				
LABORERS:					
Common Laborers	4.15				
LATHERS	5.45				
PAINTERS, Brush	5.30				
PLUMBERS	8.45				
ROOFERS	5.00				
SHEET METAL WORKERS	6.25				
TRUCK DRIVERS	3.75				
POWER EQUIPMENT OPERATORS:					
Air Compressor	4.75				
Bulldozers	6.00				
Backhoe Operators	4.75				
Motor Graders	4.88				
Rollers	4.25				
Scrapers	5.60				
Tractors	4.75				
Trenching Machine Operators	4.75				

SUPERSEDEAS DECISION

STATE: Texas
COUNTIES: Bosque, Freestone, Hill, Limestone, McLennan & Navarro
DECISION NO.: TX76-4161
Supersedes Decision No. TX76-4113, dated July 16, 1976, in 41 FR 29597.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$ 6.50					
5.75					
5.63					
4.31					
5.515	.15	.30			.02
3.00					
4.50					
6.00					
4.25					
2.88					
3.95					
3.95					
BRICKLAYERS					
CARPENTERS					
CEMENT MASONS					
ELECTRICIANS					
IRONWORKERS					
LABORERS					
PAINTERS, BRUSH					
PLUMBERS & PIPEFITTERS					
ROOFERS					
SHEET METAL WORKERS					
TILE SETTERS					
TRUCK DRIVERS					
POWER EQUIPMENT OPERATORS:					
Front end loaders					
Motor gradars					

DECISION NO. TX76-4161

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
\$ 3.00					
3.25					
3.90					
4.15					
4.10					
3.00					
4.25					
3.30					
4.25					
3.00					
3.35					
6.00					
4.00					
4.25					
3.35					
3.85					
4.25					
3.00					
2.50					
3.00					
4.45					
3.65					
3.65					
3.50					
5.25					
3.50					
3.25					
4.00					
4.00					
2.75					
3.25					
3.00					
4.00					
3.30					
3.85					
4.00					
3.15					
3.75					
INCIDENTAL PAVING & UTILITIES & SITE PREPARATION					
Air Tool Man					
Asphalt Heaterman					
Asphalt Raker					
Batching Plant Scaleman					
Carpenter					
Carpenter Helper					
Concrete Finisher (Paving)					
Concrete Finisher Helper (Paving)					
Concrete Finisher (Structures)					
Concrete Finisher Helper (Structures)					
Concrete Rubber					
Electrician					
Electrician Helper					
Form Builder (Structures)					
Form Builder Helper (Structures)					
Form Setter (Paving and Curb)					
Form Setter (Structures)					
Form Setter Helper (Structures)					
Laborer, Common					
Laborer, Utility Man					
Mechanic					
Mechanic Helper					
Miller					
Serviceman					
Painter (Structures)					
Pipelayer					
Pipelayer Helper					
Powderman					
Reinforcing Steel Setter (Structures)					
Reinforcing Steel Setter Helper					
Sign Erector					
Sign Erector Helper					
Spreader Box Man					
Swamper					
Power Equipment Operators:					
Asphalt Distributor					
Asphalt Paving Machine					
Broom or Sweeper Operator					
Bulldozer, 150 HP and Less					

DECISION NO. TX76-4161

INCIDENTAL PAVING & UTILITIES
& SITE PREPARATION

Basic Hourly Rates	Fringe Benefits Payments				Education and/or Appr. Tr.
	H & W	Pensions	Vacation		
Power Equipment Operators (Cont'd):					
Bulldozer, over 150 HP	\$ 4.00				
Concrete Paving Guring Machine	3.50				
Concrete Paving Saw	3.50				
Crane, Giamhell, Backhoe, Der-					
rick, Dragline, Shovel (less	4.00				
than 1½ CY)					
Crane, Giamhell, Backhoe, Der-					
rick, Dragline, Shovel (1½ CY	4.25				
and Over	4.00				
Crusher or Screening Plant Op.					
Foundation Drill Operator	3.50				
(Crawler Mounted)					
Foundation Drill Operator					
(Truck Mounted)	5.35				
Foundation Drill Operator Helper	3.00				
Front End Loader (2½ CY & Less)	3.75				
Front End Loader (Over 2½ CY)	4.00				
Motor Grader Op., Fine Grade	5.00				
Motor Grader Operator	4.25				
Roller, Steel Wheel (Plant-Mix					
Pavements)	3.25				
Roller, Steel Wheel (Other-Flat					
Wheel or Tamping)	3.25				
Roller, Pneumatic (Self-Propelled)	3.20				
Scrapers (17 CY and Less)	3.75				
Scrapers (Over 17 CY)	4.00				
Tractor (Crawler Type) 150 HP					
and Less	3.50				
Tractor (Crawler Type) over					
150 HP	4.25				
Tractor (Pneumatic) 80 HP & Less	2.75				
Tractor (Pneumatic) over 80 HP	3.75				
Traveling Mixer	3.60				
Trenching Machine, Light	3.25				
Trenching Machine, Heavy	4.00				
Wagon Drill, Boring Machine or					
Post Hole Driller Operator	3.60				
Truck Drivers:					
Single Axle, Light	3.15				
Loubov-Mount	3.35				
Wegman (Truck Scales)	2.50				
Welder	4.35				
Welder Helper	3.25				

[FR Doc.76-30085 Filed 10-14-76;8:45 am]

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